



MAYOR AND COUNCIL

MEETING NO. 36-21
Monday, October 18, 2021 – 7:00 PM

AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

Viewing Mayor and Council Meetings

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov by no later than 10:00 a.m. on the date of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your **Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone)** to mayorandcouncil@rockvillemd.gov no later than **10:00 am on the day of the meeting**.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 6:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex>
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test:** <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 4 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Feinberg)

Drop-In Sessions will be held by phone on Monday, November 8 from 5:30-6:30 p.m. **Please sign up by 10 a.m. on the meeting day using the form at:** <https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

7:00 PM 1. Convene

2. Pledge of Allegiance

7:05 PM 3. Agenda Review

7:10 PM 4. COVID-19 Update

7:15 PM 5. Proclamation

A. Proclamation Declaring October as Walktober Month (CM Ashton)

B. Proclamation Declaring October 25 – 29, 2021 as Economic Development Week (CM Pierzchala)

7:30 PM 6. Recognition

A. Certificate of Recognition - Rock East District (CM Myles)

B. Certificate of Recognition - Rockville Volunteer Fire Department 100th Anniversary (Mayor Newton)

7:40 PM 7. Presentation

A. Presentation by Montgomery County on Corridor Forward - Municipal Coordination

8:10 PM 8. Community Forum

Any member of the community may address the Mayor and Council for 3 minutes during Community Forum. Unless otherwise indicated, Community Forum is included on the agenda for every regular Mayor and Council meeting, generally between 7:00 and 7:30 pm. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance or sign up in the Mayor and Council Chamber the night of the meeting.

8:30 PM 9. Consent

- A. Approval of the King Buick Road Code Waiver
- B. Introduction of an Ordinance to Amend Chapter 23 Entitled "Traffic" So as to Increase Fines for Various Parking Violations.
- C. Adoption of an Ordinance to Approve Zoning Text Amendment TXT2021-00260, to Modify the Requirements for Project Plans, Roadway Classifications in Mixed Use Zones, Minor and Major Site Plan Amendments, Development Approval Abandonment, the Definition of Demolition, and the Addition of Research and Development Use and Related Parking Standards; Mayor and Council of Rockville, Applicants

8:35 PM 10. Public Hearing: Project Plan Application PJT2021-00013, for the Construction of Approximately 252 Townhomes and 118 Two-Over-Two Multi-Family Units in the MXCD (Mixed-Use Corridor District) Zone at 16200 Frederick Road (King Buick) and Parcel P170, EYA Development, LLC, Applicant

9:05 PM 11. Discussion and Instruction: Project Plan Application PJT2021-00013, for the Construction of Approximately 252 Townhomes and 118 Two-Over-Two Multi-Family Units in the MXCD (Mixed-Use Corridor District) Zone at 16200 Frederick Road (King Buick) and Parcel P170, EYA Development, LLC, Applicant

9:35 PM 12. Rockville Economic Development Inc. Annual Report Presentation

9:55 PM 13. RedGate Park: Update on First Community Engagement & Next Steps

10:40 PM 14. Review and Comment - Mayor and Council Action Report

- A. Action Report

15. Review and Comment - Future Agendas

- A. Future Agendas
-

11:00 PM **16. Adjournment**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: <http://www.rockvillemd.gov/mcguidelines>.



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Proclamation

Department: City Clerk/Director of Council Operations Office

Responsible Staff: Danny Winborne

Subject

Proclamation Declaring October as Walktober Month

Recommendation

Staff recommends that the Mayor and Council read and approve the Proclamation.

Discussion

Maryland was the first state in the country to designate and official exercise by naming “walking” as its official exercise in 2008.

According to the Maryland Department of Health, in 2020, Maryland Governor Larry Hogan issued a proclamation designating the month of October as “Walktober” in Maryland for the first time, recognizing the states’ official exercise – walking - for its health benefits and its important role in the state’s transportation and recreation network.

Governor Hogan stated that during the COVID-19 emergency, Marylanders turned to walking as a beneficial physical activity and as a commuting option. Governor Hogan went on the say, “I encourage people of all ages and abilities to take steps toward good health and enjoy Maryland’s beauty on foot.”

Governor Hogan renewed his proclamation this year by proclaiming October 2021 “Walktober.” Maryland has over 108 trails that cover over 4565 miles and many of these trails have access point in Rockville. Residents are invited to become “Sole Mates” by joining official walks or walk alone, or with family or neighbors, as well as signing up for “Walkinars.” Walks can be found on <https://mdot.maryland.gov/>.

Pedestrian Safety is key. “Pedestrian access and walkability are critical for every community across Maryland,” said Transportation Secretary Greg Slater. “Governor Hogan’s designation of Walktober will raise awareness and encourage us all to consider how walking improves our health, our well-being, our economy and our overall quality of life.”

Mayor and Council History

This is the first time that this item has come before the Mayor and Council.

Public Notification and Engagement

The Mayor and Council encourage all of Rockville to participate in Walktober during the month of October.

Attachments

Attachment 5.A.a: 2021 - Proclamation for Walktober - October - 2021(PDF)


Sara Taylor-Foreman, City Clerk/Director of Council Operations 10/11/2021



WHEREAS, the State of Maryland was the first state in the country to designate walking as the official exercise in 2008; and

WHEREAS, the Governor Larry Hogan designated the month of October as "Walktober" in Maryland by recognizing the state's official exercise – walking – for its health benefits and well being for all Marylanders; and

WHEREAS, the City of Rockville supports "Walktober" and walking as beneficial to Rockville residents and Marylanders of all ages; and

WHEREAS, the Maryland Department of Health identified that there are more than 1200 miles of trails on state public land alone, and Rockville has many walking trails, in addition to biking and hiking trails; and

WHEREAS, pedestrian access to good walking trails and pedestrian safety measures are important to the citizens of Rockville and its surrounding communities, and Rockville supports these infrastructures and initiatives to increase them across the state and the region; and

WHEREAS, Maryland observed a month long celebration of walking by kicking off the annual "Walk Maryland Day" on October 6, 2021:

NOW, THEREFORE, that the Mayor and Council hereby proclaim October 2021, as "Walktober" in Rockville and invite all residents to take advantage of walking for its health, recreation and transportation benefits, as well as "Walktober Walkinars" focused on pedestrian safety. The City encourages everyone to find time to walk every day and to make it a priority, for citizens of all ages.



 Bridget Donnell Newton, Mayor	
 Monique Ashton, Councilmember	 Beryl L. Feinberg, Councilmember
 David Myles, Councilmember	 Mark Pierzchala, Councilmember

October 18, 2021



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Recognition

Department: PDS - Management & Support

Responsible Staff: Manisha Tewari

Subject

Proclamation Declaring October 25 – 29, 2021 as Economic Development Week.

Recommendation

Staff recommends that Mayor and Council read and approve the proclamation for Economic Development Week (Attachment A).

Discussion

Economic Development Week will take place October 25 – 29, 2021. Economic Development Week was created by the International Economic Development Council (IEDC) in 2016 to increase awareness of local programs that create jobs, advance career development opportunities, and improve communities' quality of life. It is now celebrated annually by the Maryland Economic Development Association (MEDA) and participating local jurisdictions.

Rockville is proud to celebrate Economic Development Week and the importance of promoting a healthy and vibrant economy; Rockville's many businesses and organizations that provide employment; a sustainable tax base; and the overall quality of life in the city.

Rockville Economic Development, Inc. (REDI) will be present to receive the proclamation.

Mayor and Council History

This is the first time that the Mayor and Council have issued this proclamation.

Attachments

Attachment 5.B.a: 2021 - Proclamation for Economic Development Week (Oct 25-29)
(PDF)

A handwritten signature in dark ink, appearing to read "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

10/12/2021



WHEREAS, the economic growth and stability of the State affects all regions and jurisdictions of Maryland; and

WHEREAS, the City of Rockville is a vital component of Maryland's economic success, representing over 9,500 businesses and 72,000 employees in a wide variety of for-profit and non-profit sectors; and

WHEREAS, the City of Rockville supports economic success through investments in infrastructure, parks, housing, planning and other high-quality-of-life features that are central to a good climate for business; and

WHEREAS, Rockville Economic Development, Inc. (REDI), a non-profit organization formed in 1997 by the City of Rockville to proactively support existing industry and attract new businesses, is an active member of the International Economic Development Council (IEDC) and the Maryland Economic Development Association (MEDA), a non-profit organization that promotes economic development as an investment in Maryland and Marylanders; and

WHEREAS, MEDA members promote the economic well-being of Maryland by collaboratively working to improve the State's business climate and the professionalism of those working in the field of economic development in the State; and

WHEREAS, REDI shall highlight successful business retention, expansion and attraction efforts, and key economic development partners and stakeholders, during the week of October 25-29, 2021;

NOW, THEREFORE, that the Mayor & Council hereby proclaim the week of October 25-29, 2021, to be Economic Development Week in the City of Rockville, in recognition of the importance of economic development and its role in supporting the business community, creating new and dynamic opportunities for residents and visitors, and enhancing the fiscal health of the city.



Bridget Donnell Newton
Bridget Donnell Newton, Mayor

Monique Ashton
Monique Ashton, Councilmember

Beryl L. Feinberg
Beryl L. Feinberg, Councilmember

David Myles
David Myles, Councilmember

Mark Pierzchala
Mark Pierzchala, Councilmember

October 18, 2021



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Recognition

Department: City Clerk/Director of Council Operations Office

Responsible Staff: Danny Winborne

Subject

Certificate of Recognition - Rock East District

Recommendation

Staff recommends that the Mayor and Council read and present certificate of recognition to Cindy Rivarde, Director of Rockville Economic Development, Inc.

Discussion

The newly designated “Rock East District” will bring a new charm and vibrancy to Rockville and Montgomery County. Rockville Economic Development, Inc. (REDI) has worked hard to craft a new mélange of business, leisure, recreation, retail, dining and entertainment to our area.

Location - “Rock East District” is located in the middle of Montgomery County between Rockville Pike and First Street. This new destination is conveniently located 45 minutes away from Washington, DC, and is just a few minutes from the Rockville Town square.

Amenities - Rock East District will have many attractions and amenities. There are networks of parks, paved multi-use, natural surface, and lakeside trails. Rock East District provides families, nature lovers, bird watchers, hikers, bikers and history buffs with myriad opportunities to enjoy and explore the outdoors, while just minutes away from trendy shopping, restaurants and eateries.

Transportation - Rock East District is close to the Rockville Metro and Train Station, which serves Metro’s Red Line, MARC, and Amtrak.

Business – Rock East District boasts vibrant, independent, and locally-owned businesses that will continue to make Rockville unique. Makers, traders and fabricators, as well automotive specialists, furniture retailers, home improvements craftsmen and women, and iconic specialty shops will abound.

A Ribbon Cutting Ceremony was recently held by REDI and the Mayor and Council for the New Rock East District.

Mayor and Council History

The Mayor and Council officially designated the New Rock East District within the city at its meeting on Monday, July 19, 2021. Rockville Economic Development Inc., (REDI) formally

submitted a request to the Mayor and Council to declare the East Gude Drive corridor as the “Rock East District.”

Next Steps

REDI will fund and install pole banners along East Gude Drive for a targeted formal launch of the branding of the “Rock East District.”

Attachments

Attachment 6.A.a: 2021 Certificate of Recognition for Rock East District (PDF)


Sara Taylor-Farrell, City Clerk/Director of Council Operations 10/11/2021



WHEREAS, the economic growth and stability of Rockville affects the regions, areas and jurisdictions of Maryland; and

WHEREAS, the City of Rockville is a vital component of Maryland's economic success, representing over 9,500 businesses and 72,000 employees in a wide variety of for-profit and non-profit sectors; and

WHEREAS, the City of Rockville supports economic success through investments in infrastructure, parks, housing, planning and other high-quality-of-life features that are central to a good climate for business; and

WHEREAS, Rockville Economic Development, Inc. (REDI), a non-profit organization formed in 1997 by the City of Rockville to proactively support existing industry and attract new businesses, has established the new "Rock East District" which will bring new vitality to the City of Rockville; and

WHEREAS, "Rock East District" will have many attractive amenities. There are networks of parks, paved multi-use, natural surface and lakeside trails; which will provide families, nature lovers, bird watchers, hikers, bikers and history buffs with myriad opportunities to enjoy and explore the outdoors; and

WHEREAS, REDI shall highlight successful business retention, expansion and attraction efforts, and key economic development partners and stakeholders, during the week of October 25-29, 2021;

NOW, THEREFORE, that the Mayor and Council hereby present a Certificate of Recognition for the new "Rock East District," a new and vibrant destination in Rockville with parks, trails, shopping, restaurants, and local and independently owned businesses, which will be key to the vibrancy, vitality, economic growth and fiscal health of our city and the surrounding community.



Bridget Donnell Newton
Bridget Donnell Newton, Mayor

Monique Ashton
Monique Ashton, Councilmember

Beryl L. Feinberg
Beryl L. Feinberg, Councilmember

David Myles
David Myles, Councilmember

Mark Pierzchala
Mark Pierzchala, Councilmember

October 18, 2021



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Recognition

Department: City Clerk/Director of Council Operations Office

Responsible Staff: Danny Winborne

Subject

Certificate of Recognition - Rockville Volunteer Fire Department 100 Anniversary

Recommendation

Staff recommends the Mayor and Council read and present certificate of recognition to Eric Bernard, President, Rockville Volunteer Fire Department.

Discussion

The Mayor and Council are happy to present a Certificate of Recognition to the Rockville Volunteer Fire Department on their 100th Anniversary.

History – One hundred and fifteen years before the present Rockville Volunteer Fire Department came into existence, the small village of Rockville's General assembly authorized a lottery to raise money to purchase a fire engine for Rockville. There is little known as to whether this effort to purchase a fire engine was successful or not.

Through the efforts of RVFD Life Member Timothy C. Jones, the following information was gathered from the records of the commissions of the Village of Rockville and later, from the minutes of Mayor and Council meetings.

When Montgomery County was formed by the division of Frederick County in 1776, Rockville served as the County Seat. In the 1780's this community was know as Williamsburg, before it became known as Rockville. The first Mayor and Council were elected in 1888.

Fire History – On March 3rd, 1873, a fire destroyed the Rockville Presbyterian Church, and the Village Commissioners ordered that six ladders be purchased to assist with fire protection. On November 9, 1888, the Mayor and Council ordered that the Clerk buy three Domestic Fire engines for \$202.50. a shed was built on a vacant space behind Town Hall to house this equipment.

In 1895 a proposal was created to purchase a #5 Suburban engine with two seven-inch brass cylinders with a six-and-a-half-inch stroke capacity, four to six barrels a minute, and an 80-gallon copper tank for a chemical hose basket, and a hose reel with 500 feet of two- and one-half inch rubber lined cotton fire hose and a four-wheel ladder wagon (price: \$1500.00).

On May 21, 1905, a special meeting was held, and a motion was approved to purchase a Howe combination Chemical and Water Fire Engine from the Howe Pump and Engine Company of Indianapolis. The Mayor and Council accepted this new fire apparatus from Howe Pump and Fire Engine Company on August 31, 1895.

Historical records research also indicates that in 1905 there may have been another Fire Company in Rockville consisting entirely of African American, with George Meads as their Chief Fire Marshall.

Great fire of 1921 – In February 1921, John Collins' store on East Montgomery Avenue caught fire during the nighttime. Mr. Collins lived on the second story of the building with his family. George Meads, the deputy sheriff in Rockville, was also chief of the small fire department. To summons the volunteers, Mr. Meads shot his pistol. The bucket brigade was summoned worked to save the building, and a call went out to the District of Columbia, who sent men and more modern fire equipment; but little was left but smoldering ruins in the morning. Mr. Collins' family did survive the fire.

After this devastating fire, a meeting organized by Bill Burrows, a local barbershop owner, and fifty-on men gathers in the Potomac Electric Power Company to form the Rockville Volunteer Fire Department.

Present Day - Growth of the City of Rockville throughout the years led to the Rockville Volunteer Fire department to move to its current location on Hungerford Drive in 1966. This location has since been modernized.

As the Rockville area continued to grow, the Rockville Volunteer Fire Department added another station in the Potomac area on Falls Road in 1970. Further growth led to Montgomery county constructing a temporary station operated by the RVFD at Shady Grove Road and Darnestown Road. In 1981, a permanent station was constructed on Darnestown Road and near Quince Orchard Road in 1989. Within the next ten years, there is likely to be the need to build a Fire Stations near Shady rove Road and Frederick Road.

Originally organized with 51 men in 1921, the Rockville Volunteer Fire Department now has a diverse compliment of over 270 volunteers supported by almost 100 Montgomery County career firefighters. Call volume has increased tremendously over the years, from 1920's where the Department responded to approximately 200 incidents a year, to 24,910 incidents in 2010. (Source for this history was gathered from <https://rvfd.org/about-rvfd/history/>)

Mayor and Council History

The Mayor and Council will present the Certificate of Recognition of the Rockville Volunteer Fire Department for its 100th Anniversary.

Attachments

Attachment 6.B.a: 2021 Certificate of Recognition for the Rockville Volunteer Fire Department - 100th Anniversary Observation (PDF)


Sara Taylor-Fennell, City Clerk/Director of Council Operations 10/11/2021



WHEREAS, over 100 years ago, organized and efficient fire protection did not exist in the small village of Rockville and as the village grew and with it, the threat of fire, the protection and safety of the citizens was always considered; and

WHEREAS, the Great Fire of 1921 that burned down John Collins East Montgomery Avenue store, and his second-floor home he shared with his family; and

WHEREAS, George Meads, deputy sheriff in Rockville and Mr. Herbert manned the two-wheeled fire apparatus and the woefully inadequate fire hose; and a call went out to the District of Columbia for help and the big city sent men and modern equipment; and

WHEREAS, the next day, and for days after the people of the town of Rockville wondered what may have happened if help had not come from the District of Columbia; the townspeople realized they needed a much more formal fire department with modern equipment and trained men; and

WHEREAS, on March 16, 1921, at a meeting organized by Bill Burrows, local barber shop owner, fifty-one men gathered at the office of the Potomac Power Company to form the Rockville Volunteer Fire Company; and

WHEREAS, the Rockville Volunteer Fire Company was organized with 51 men in 1921; and now the Rockville Volunteer Fire Department has a diverse complement of over 270 volunteers supported by almost 100 Montgomery County career firefighters. The call volume has increased tremendously over the years, from the 1920's where the department responded to about 200 incidents a year, to responding to 24,910 incidents in 2010.

NOW THEREFORE, on behalf of all of Rockville, the Mayor and Council, staff, residents young and old, and friends, we do hereby recognize, appreciate, and celebrate 100 years of the Rockville Volunteer Fire Department for its protection, safety and service to Rockville and surrounding areas.

A grateful community thanks you!



Bridget Donnell Newton
Bridget Donnell Newton, Mayor

Monique Ashton
Monique Ashton, Councilmember

Beryl L. Feinberg
Beryl L. Feinberg, Councilmember

David Myles
David Myles, Councilmember

Mark Pierzchala
Mark Pierzchala, Councilmember

October 18, 2021



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Presentation

Department: PW - Traffic & Transportation

Responsible Staff: Faramarz Mokhtari

Subject

Presentation by Montgomery County on Corridor Forward - Municipal Coordination

Recommendation

Staff recommends that the Mayor and Council receive the presentation provided by Montgomery County Planning staff on the Corridor Forward Plan, with a focus on Rockville and its vicinity.

Discussion

The Mayor and Council is scheduled to receive a presentation by Montgomery County Planning staff on the work performed thus far for their Corridor Forward Plan, with a focus on Rockville and its vicinity.

BACKGROUND:

Montgomery County Planning has initiated work on their Corridor Forward Transit Plan. The Corridor Forward (Plan) will produce a prioritized list of transit options and an implementation plan detailing the milestones and resources necessary for Montgomery County to provide transit to residents and workers in the I-270 corridor, extending between the City of Frederick and points in Northern Virginia and Washington, DC. The Plan will help inform the County and municipal leaders about which potential transit investments will best support equitable access and sustainable growth.

Montgomery Planning initiated *Corridor Forward: The I-270 Transit Plan* in early 2020 at the request of the County Council to evaluate transit options for job centers and communities along the I-270 corridor. The plan is not limited to the physical confines of the interstate, but it will encompass 46 communities and employment centers in the region, including Montgomery County activity centers like Rockville, Germantown, the Life Sciences Center, White Flint and Bethesda.

For the I-270 Corridor, many transit service options are and have been explored, including options originating from Montgomery County Council-approved plans, options considered in ongoing work by the State, and options that have not been formally studied, but have captured the public's imagination. These include:

- Transit service along I-270, including express bus, Bus Rapid Transit (BRT), rail and monorail.
- Transit service from Bethesda to Tysons, including a potential extension of the Purple Line, the North Bethesda Transitway, and/or other BRT alignments.
- Transit service serving the Corridor Cities Transitway (CCT) communities.
- Enhanced transit service along the existing MARC rail line; and
- Extending WMATA's Red Line to Clarksburg or Germantown.

Corridor Forward acknowledges that these master-planned and speculative transit options could improve accessibility along the I-270 corridor, but also acknowledges that it is not realistic to advance each option within the typical lifespan of a functional master plan (approximately 25 years). For these reasons, Montgomery Planning will work with state and county agencies, neighboring jurisdictions, County municipalities and advocacy groups, as well as engage community members about their needs and values related to transit in order to create up to 15 different transit concepts.

Six transit concepts will advance to a scenario-planning exercise, which will explore how each option supports mobility within the region, as well as the County's economic, environmental, and equity values. This project will inform decisionmakers about which corridor transit projects best advance these values.

The goal of the Plan is to comprehensively prioritize and advance transit options that achieve the best combination of the following values, consistent with the Planning Board Draft of *Thrive Montgomery 2050*:

- **Strategic Connections:** Serve high-demand origin and destination pairs, balancing costs of implementation with projected benefits.
- **Economic Health:** Enable existing development and master-planned communities to realize their potential as livable and economically-vibrant places.
- **Community Equity:** Align with the County's social equity goals and principles.
- **Environmental Resilience:** Operate sustainably and reduce negative environmental impacts.

The purpose of the Plan is to evaluate transit options to serve communities along the I-270 corridor. The Plan stands on its own and will provide guidance to the County regardless of the outcome of the Maryland Department of Transportation's Managed Lanes initiative. While the Plan will not specifically consider the role of transit in relation to the Managed Lanes Project, it will identify transit options which offer an alternative to travel by car. Each of the options advanced for detailed study is anticipated to reduce vehicle miles traveled, and a combination of these options will improve transit accessibility and competitiveness for communities along the corridor.

The presentation will be focusing on the staff work done thus far, including:

- The Plan's goal and objectives.
- Overview of the Transit options retained for further evaluation.

- Overview of proposed evaluation metrics and Summary findings of staff preliminary findings.

Mayor and Council History

This is the first time that this item has been brought before the Mayor and Council.

Public Notification and Engagement

Montgomery County Planning has conducted a Virtual community Kickoff meeting on October 1, 2020, and a follow-up virtual public meeting on July 22, 2021.

Boards and Commissions Review

A similar presentation was provided to the Rockville Planning Commission on September 8, 2021. The Commission requested a follow-up presentation and opportunity to provide written comments during the County's Planning Board review of the draft plan.

Next Steps

County staff will complete additional analysis to refine, optimize and combine options, and then prepare a draft I-270 Corridor Transit Plan for review and adoption by the County Council.



Rob DiSpirito, City Manager

9/21/2021



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Consent

Department: PW - Traffic & Transportation

Responsible Staff: Faramarz Mokhtari

Subject

Approval of the King Buick Road Code Waiver

Recommendation

Staff recommends that the Mayor and Council adopt the proposed resolution (attachment A) to reduce the required right-of-way width and the pavement width for new secondary residential streets for the proposed King Buick residential development.

Discussion

This agenda item proposes the adoption of a resolution to grant Road Code Waivers to the requirements of Chapter 21 of the "Rockville City Code," pursuant to Section 21-42, to reduce the required right-of-way width and the pavement width for new secondary residential streets proposed, as part of the planned King Buick residential development.

Background:

As the contract purchaser and prospective developer of the property that recently was annexed, EYA, LLC, has submitted for approval a residential development application to demolish and replace an existing automobile dealership/service facility with approximately 370 residential dwelling units, including 252 townhouses and 118 two-over-two multifamily units.

The subject property is approximately 20.35 acres and in the Mixed-Use Commercial District (MXCD) zone. The Property fronts Frederick Road (Maryland Route 355) and is located within walking distance of the Shady Grove Metrorail Station.

As part of the proposed redevelopment application, EYA is seeking specific and limited waivers from the City's Road code requirements and standard details of the secondary residential roadways. The requested waivers are minor in nature and generally consistent with the intent of the code.

The waivers requested by the applicant, as shown on the exhibit (attachment B), include the reduction of small sections of the right-of-way width from the minimum of 60 feet to 51 feet, and the reduction of the minimum pavement width of 26 feet to 22 feet in certain areas for small segments of the proposed residential streets.

The proposed reduced right-of-way still will provide for all required elements, including two 11-foot travel lanes that can be used by bicyclists and vehicles, buffered sidewalks, planting strips, and on-street parking.

The areas of reduced pavement are proposed for locations that are near intersections and/or pedestrian crossings, around curves, or on short segments of roadway where there is no opportunity to provide on-street parking. This reduction in pavement width will provide for a narrower street crossing, which promotes pedestrian safety.

It is important to note that throughout the proposed development, the submitted plans still provide for the provision of approximately 95 on-street parking spaces, resulting in a visitor parking ratio of 0.76 visitor space per unit which is higher than the minimum recommended ratio of 0.50 typically required by DPW for similar uses.

The requested waivers have no impact to staff findings of transportation adequacy for the proposed development as required by the City's Comprehensive Transportation Review (CTR). Staff made the required finding by a detailed and comprehensive review of a multimodal transportation report submitted by the applicant in support of the proposed redevelopment.

As a result, staff recommends granting the approval of the requested waivers to reduce the required minimum ROW width and pavement width. Since this type of waiver request is becoming more routine from similar developments, staff will be looking at how to amend the road code to accommodate this type of common request without requiring future Mayor and Council waiver approvals.

Mayor and Council History

This is the first time that this item has been brought before the Mayor and Council.

Next Steps

The Mayor and Council may approve the requested waiver by adopting the attached resolution.

Attachments

- Attachment 9.A.a: Draft Waiver-resolution-King Buick (DOCX)
- Attachment 9.A.b: EXHIBIT - Road Sections - King Buick (PDF)



Rob DiSpirito, City Manager

10/12/2021

Resolution No. _____ RESOLUTION: To approve a request for a waiver to the requirements of Chapter 21 of the Rockville City Code to reduce the required right-of-way width, and the required pavement width of a secondary residential road for the King Buick development

WHEREAS, pursuant to Chapter 21, Section 21-42(c) of the Rockville City Code, EYA Development, LLC has filed a written request for a waiver of the road construction requirements for new secondary residential roads within the proposed King Buick development, located along the west side of Frederick Road (MD 355) south of its intersection with Shady Grove Road, to reduce the required right-of-way width and pavement width. The right-of-way would be reduced to 51 feet and the pavement width would be reduced to 22 feet in certain sections; and

WHEREAS, after consideration, the City Manager has recommended that it would be in the public interest to grant this waiver so as to allow an adjustment in the requirements set forth in Section 21-64 of Chapter 21 of the Rockville City Code for such construction.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the subject waiver requested by EYA Development, LLC be, and the same is hereby, approved.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council at its meeting of October 18, 2021.

Sara Taylor-Ferrell, City Clerk

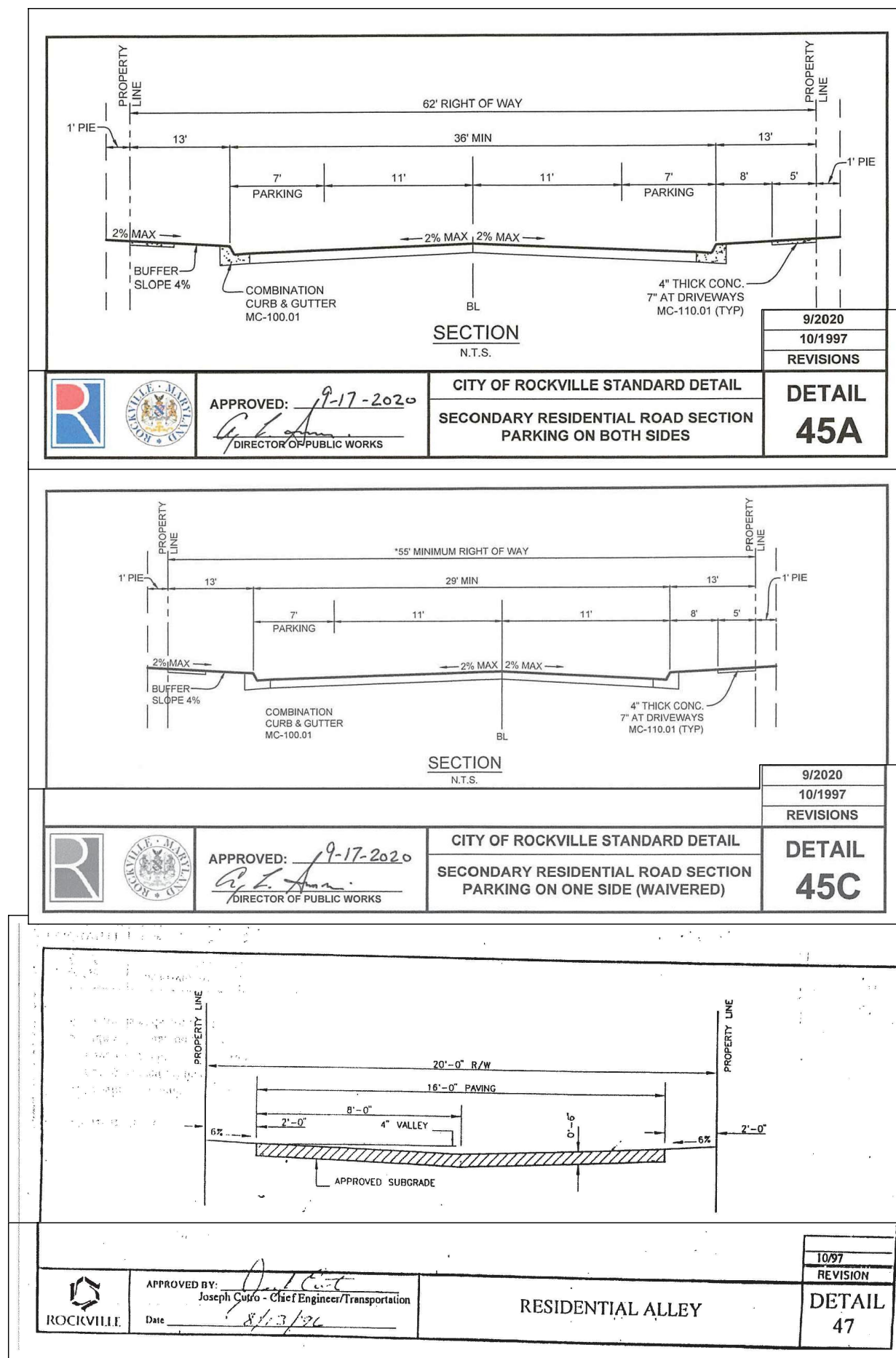
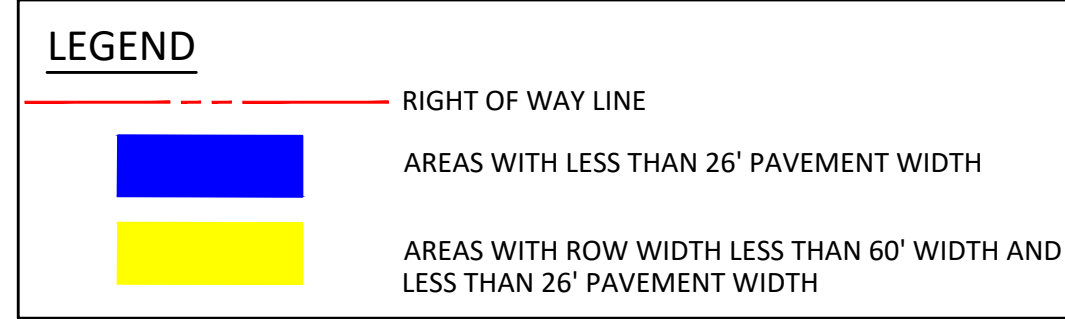
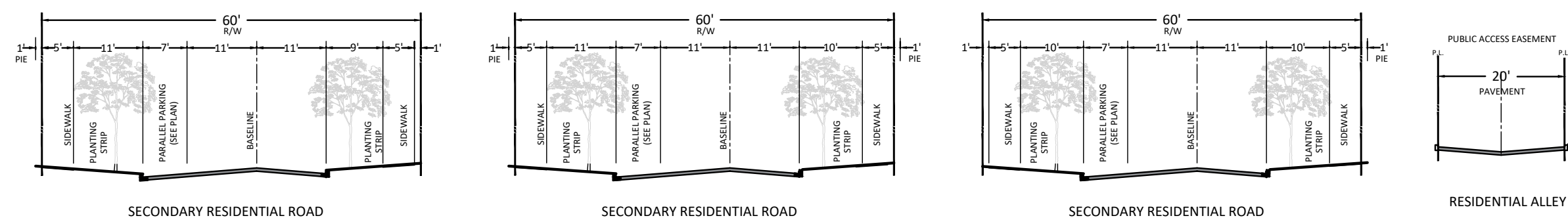
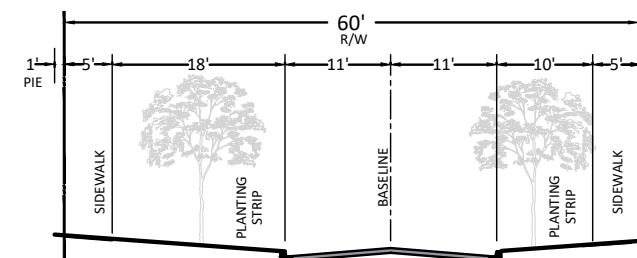


Figure 1: Typical cross-section of a 66 kV busway. The diagram shows a cross-section of a busway with a total width of 66 feet. The components from left to right are: a 1-foot RE (Right End) section, a 6-foot SIDEWALK, a 10.5-foot PLANTING STRIP with a tree, an 11.0-foot RIGHT TURN LANE, an 11-foot BLVD (Boulevard) section, an 10.5-foot PLANTING STRIP with a tree, and a 6-foot SIDEWALK. The total width is labeled as 66' K/V.



Roadway Modifications:

- No parking
- Pavement width less than 26'

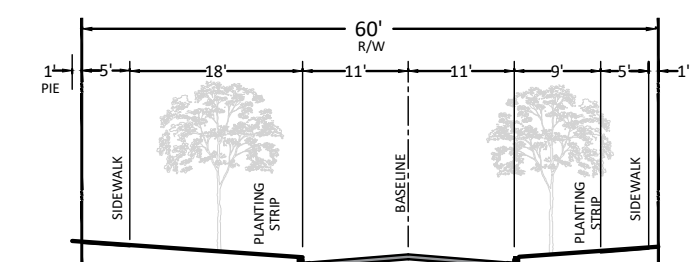


Section E **E**

Secondary Residential Road
Modified Detail 45C

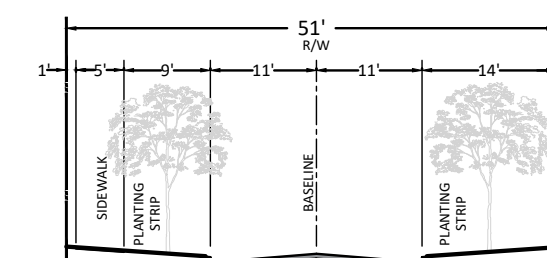
Roadway Modifications:

- No parking
- Pavement width less than 26'



Roadway Modifications:

- No parking
- Pavement width less than 26'

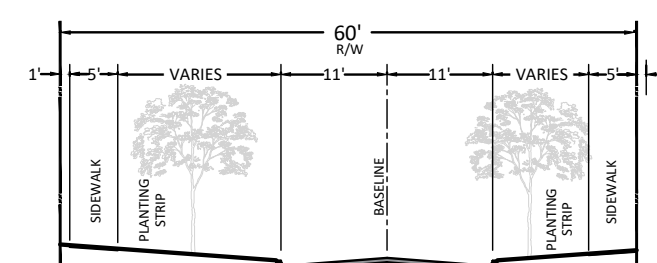


Section F **F**

Secondary Residential Road
Modified Detail 45C

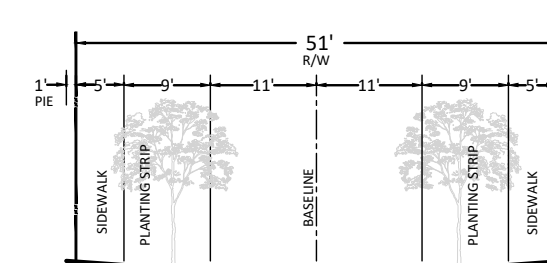
Roadway Modifications:

- No parking
- Sidewalk removed on one side
- Pavement width less than 26'
- ROW width less than 60'



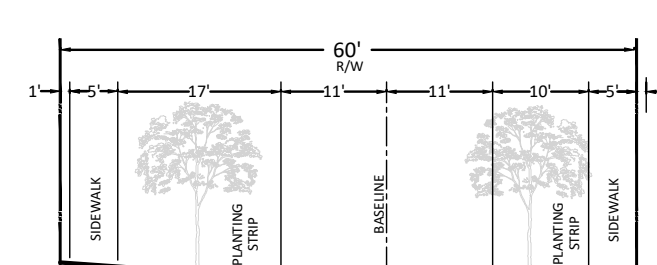
Roadway Modifications:

- No parking
- Pavement width less than 26'



Roadway Modifications:

- No parking
- Pavement width less than 26'
- ROW width less than 60'



Roadway Modifications:

- No parking
- Pavement width less than 26'

[illegible]

4TH ELECTION DISTRICT
ROCKVILLE,
MARYLAND
TAX MAP: GS12

PROFESSIONAL SEAL

DRAWN BY: _____
DESIGNED BY: _____
DATE ISSUED: 9/1/2021

VIKA
PROJECT VM50420

DRAWING
NO.

SHEET NO.



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Consent

Department: Police

Responsible Staff: Socrates Viallourous

Subject

Introduction of an Ordinance to Amend Chapter 23 Entitled "Traffic" So as to Increase Fines for Various Parking Violations.

Recommendation

Staff recommends that the Mayor and Council introduce the attached ordinance to amend Chapter 23. Adoption of this Ordinance is scheduled for October 25, 2021.

Change in Law or Policy

If adopted, this ordinance would amend Chapter 23 of the Rockville City Code entitled "Traffic", increasing fines for certain parking violations.

Discussion

The purpose of this agenda item is to introduce an ordinance to amend Chapter 23 of the Rockville City Code entitled “Traffic” so as to increase the fine amounts for certain parking violations as listed in Attachment A.

At the May 3, 2021 Mayor and Council meeting, staff conducted a broad presentation and engaged in a discussion regarding the City’s current parking fine structure, in which several recommendations were offered. Following the meeting, staff was instructed to return before the Mayor and Council to introduce an ordinance to amend Chapter 23 to increase the fines for the violations of parking restrictions within fifteen feet of a fire hydrant; parking restrictions within the lane markings, or signs, designating a fire lane; and parking restrictions in designated handicapped parking spaces. This ordinance was adopted on June 21st. We return tonight to introduce an ordinance (Attachment B) to amend Chapter 23 of the Rockville City Code entitled “Traffic” so as to increase the fine amounts for the remaining parking violations previously discussed on May 3, 2021.

Staff conducted a review of the entire parking program across several areas where changes can be made to promote public safety and efficient Citywide parking operations. The review included analysis of the historical changes to the City’s fines, as well as an extensive comparison of the current City of Rockville parking fines with surrounding jurisdictions. (Attachment C)

The review conducted by staff has discovered that the last major change to City parking fines occurred in 2003, when many fines increased from \$25 to \$40. Prior to this change, the last major change in fines occurred in 1991, when many fines increased from \$20 to \$25.

Given the significant amount of time that has elapsed since the last major fine changes (18 years), the discrepancy in the amount of the fine that the City imposes compared to neighboring jurisdictions, and the effect that an infraction of the violations poses to public safety and efficient Citywide parking operations, staff recommends adjusting most of the City’s parking fines.

Of note, staff does not recommend changes to the current fines for expired parking meter violations, which would remain at \$40 and which comprises most of the parking enforcement citations issued. Additionally, we do not recommend changes to the current penalties for late payment at this time.

Mayor and Council History

Date	Action Item
May 3, 2021	Discussion & Instructions Police Department Parking Related Citation Fees and Fines
June 14, 2021	Introduction of an Ordinance to amend Chapter 23 of the Rockville City Code entitled "Traffic" so as to increase the fine amount for violations of parking restrictions within fifteen feet of a fire hydrant; parking restrictions within the lane markings, or signs, designating a fire lane; and parking restrictions in designated handicapped parking spaces.
June 21, 2021	Adoption of an Ordinance to amend Chapter 23 of the Rockville City Code entitled "Traffic" so as to increase the fine amount for violations of parking restrictions within fifteen feet of a fire hydrant; parking restrictions within the lane markings, or signs, designating a fire lane; and parking restrictions in designated handicapped parking spaces.

Fiscal Impact

Staff anticipates that if all proposed changes are adopted and implemented, the additional revenue will equal approximately \$46,000 on an annual basis, based on the average number of citations issued between FY 2017 and FY 2021.

At this time, staff does not recommend amending the FY 2022 Parking Fund revenue estimates due to the continued decline in parking activity from the COVID-19 pandemic. If, during FY 2022, revenues trend above budget estimates, staff will return to the Mayor and Council to recognize actual revenue receipts via a budget amendment.

Next Steps

The ordinance will be brought back before the Mayor and Council for adoption on October 25, 2021.

Attachments

Attachment 9.B.a: Attachment A, proposed fine changes (PDF)
 Attachment 9.B.b: Attachment B - Ord amending Chapter 23 (PDF)
 Attachment 9.B.c: Attachment C, fines of comparable jurisdictions (PDF)

Linda Moran

Linda Moran, Assistant to the City Manager 10/13/2021

City of Rockville Parking Fines				
	FINES	Current		Proposed
Category				
1	No Parking w/o Consent of Owner	\$40		\$60
2	No Parking/Permit	\$40		1st, \$60 2nd or >, \$100
3	No Parking Truck in Residential	1st, \$20 2nd, \$50 3rd or >, \$100		1st, \$60 2nd or >, \$120
4	No Park Bus, Truck Tractor, or Trailer	1st, \$20 2nd, \$50 3rd or >, \$100		1st, \$60 2nd or >, \$120
5	No Parking Sidewalk	\$40		\$60
6	Blocking Driveway	\$40		\$60
7	15' Fire Hydrant	\$250		\$250
8	Prohib Sign/Curb	\$40		\$60
9	Left Wheels to Curb	\$40		\$60
10	No Parking Grass/Median	\$40		\$60
11	Handicapped	\$250		\$250
12	Expired Meter	\$40		\$40
13	Double Parking	\$40		\$60
14	Other	\$40		\$60
15	No Parking Fire Lane	\$250		\$250
16	No Parking 30' Traffic Control	\$40		\$60
17	M/U of Visitor Permit	\$40		1st, \$60 2nd or >, \$100
18	No Parking Impeding Traffic Flow	\$40		\$60
19	No Parking Bikeway	\$40		\$60
20	No Parking 20' Crosswalk	\$40		\$60
21	No Parking in 2 Spaces	\$40		\$60
22	Parked in Xwalk	\$40		\$60
23	Not Parked in Line	\$40		\$60
24	No Parking 5' Driveway	\$40		\$60
25	Over Posted Time	\$40		\$60
26	Snow Emergency	\$100		\$100
27	Penalties	15 days: +\$10 30 days: +\$10		15 days, +\$10 30 days, +\$10
*yellow highlights are propped changes				

Ordinance No. _____ ORDINANCE: To amend Chapter 23 of the Rockville City Code entitled "Traffic" so as to increase the fine amount for violations of certain parking restrictions

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Chapter 23 of the Rockville City Code entitled "Traffic" is hereby amended as follows:

Chapter 23 TRAFFIC

* * * *

ARTICLE II. STOPPING, STANDING AND PARKING

DIVISION 1. GENERALLY

* * * *

Sec. 23-22. Notice of violation; payment of penalty; failure to pay penalty; issuance of summons.

- (a) Every duly authorized police officer of the City or the County, or parking enforcement officer of the City, shall attach to any vehicle found to be in violation of sections 23-24, 23-25, 23-26, ~~23-27~~, 23-28, 23-29, division 3 or division 4 of this article or parking restriction signs authorized or provided for in section 23-3, a notice to the owner thereof that such vehicle has been in violation of such provisions.
- (b) Within fifteen (15) days of the posting of such notice, each such owner may pay as a penalty and in full satisfaction of such violation the sum of:
 - (1) Forty dollars (\$40.00) for expired parking meters/stalls located in City-owned parking garages in Town Center and parking meters located along City streets;
 - (2) ~~Forty~~Sixty dollars (\$~~40~~60.00);
 - (3) Two hundred fifty dollars (\$250.00) for violations of parking restriction signs designating handicapped parking only;
 - (4) Two hundred fifty dollars (\$250.00) for violations of parking restriction signs and/or lane markings designating a fire lane;
 - (5) One hundred dollars (\$100.00) for violations of snow emergency parking restrictions; or
 - (6) Two hundred fifty dollars (\$250.00) for parking within fifteen (15) feet of a fire hydrant.

In the alternative such owner may elect to stand trial in the District Court for the County. Such election shall be made in accordance with the procedure established by Section 26-303 of the Transportation Article of the Annotated Code of Maryland, presently existing, and as it may hereafter be amended.

- (c) The notice of violation shall contain the requirements outlined in Section 26-302 of the Transportation Article of the Annotated Code of Maryland, presently existing, and as it may hereafter be amended.
- (d) If the owner fails to pay the penalty set forth in subsection (b) hereof within the time therein provided, or if the owner fails to elect to stand trial within the time therein provided, the penalty provided in subsection (b) shall be increased by an additional ten dollars (\$10.00).
- (e) The Chief of Police shall, in accordance with the procedures prescribed by the State Motor Vehicle Administration and State law, give or cause to be given notice to the Administration of all vehicles registered by the State and the subject of any outstanding and past due parking violation of this chapter and request that the Administration refuse registration or transfer of registration of the subject vehicle, until notified by the City that the violation has been satisfied. In such cases, the Chief of Police shall impose an additional cost of ten dollars (\$10.00) for each registration withheld and the owner of the vehicle shall be subject to payment of such costs, and all other fines, penalties, and charges before notice is given to the Administration that the subject violation has been satisfied and the registration is released.

* * * *

Sec. 23-26. Stopping, standing, or parking prohibited in specified places.

No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device in any of the following places:

- (1) On a sidewalk;
- (2) Within five (5) feet of any opening or entrance to any public or private driveway;
- (3) In front of any opening or entrance to a public or private driveway, except that an owner or occupant may park in front of his or her private residential driveway;
- (4) Within an intersection;
- (5) On a crosswalk, or within twenty (20) feet of a crosswalk at an intersection, except for the purpose of receiving or discharging passengers or merchandise;
- (6) Within thirty (30) feet of any beacon, stop sign, or traffic control signal located at the side of a roadway;

- (7) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, except for the period necessary to take on or discharge passengers, freight, or merchandise;
- (8) Within twenty (20) feet of the driveway entrance to any fire department station and on the side of a street opposite the entrance to any fire department station within seventy-five (75) feet of the entrance when sign posted;
- (9) Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
- (10) On the roadway side of any vehicle stopped or parked at the edge or curb of a street except for the purpose of receiving or discharging passengers or merchandise;
- (11) Upon any bridge or other elevated structure or within a highway tunnel;
- (12) At any place where an official sign or painted curb of the County, the State, or the City prohibits stopping, parking or standing wherever a curb is painted yellow that there shall be no parking, standing or stopping parallel to the painted curb;
- (13) On curves, at the brow of a hill, where the State Highway Administration or the City has painted lines on the surfaces of the roads;
- (14) Upon any road, highway, alley or public parking facility in such a manner so as to impede the movement of traffic or constitute a threat to public safety;
- (15) On a drainage structure, planting strip, grass strip, median strip, or dirt strip which is located behind the curb of a public roadway except upon driveways constructed for such purpose. Where curbs do not exist along a public road, the provisions of this paragraph shall apply only to drainage structures. This paragraph does not apply in emergencies, or for inspection, repair or construction work performed by governments, public agencies, or public utility companies;
- (16) Upon that portion of a street on which there are painted lines on the surface of the street to indicate a designated bikeway.

Sec. 23-27. Parking of certain trucks on residential streets.

- (a) Unless a permit has been obtained as provided in subsection (b) of this section, no person shall stop, stand or park a truck having:
 - (1) A rated-load capacity in excess of three-quarters ton; or
 - (2) A gross vehicle weight (GVW) rating in excess of ten thousand (10,000) pounds; or
 - (3) More than four (4) wheels; or
 - (4) A width of ninety-six (96) inches or greater

on any residential street, except when actually loading or unloading property, or when the operator or owner of such vehicle is actually engaged in rendering a service at or to an adjacent residential or public property.

- (b) The City Manager or his designee may issue a special permit authorizing a person to stop, stand or park one (1) truck per dwelling unit having:
- (1) A rated-load capacity in excess of three-quarters ton but not greater than one (1) ton; or
 - (2) A gross vehicle weight (GVW) rating in excess of ten thousand (10,000) pounds, but not greater than thirteen thousand (13,000) pounds; or
 - (3) More than four (4) wheels but not greater than six (6) wheels; or
 - (4) A width of ninety-six (96) inches or less either on or off a residential street as set forth in this section.
- (c) The City Manager or his designee may grant a special permit to park a truck as described in subsection (b) of this section if the City Manager or his designee initially finds that due to unusual practical difficulties, the truck described in subsection (b) of this section cannot be parked off-street and, in addition, if the City Manager or his designee also finds from a preponderance of the evidence of record that the off-street parking of such a truck or the on-street stopping, standing or parking of such a truck does not:
- (1) Overburden existing public roads and other public facilities and improvements;
 - (2) Adversely affect the use or development of adjacent properties or the neighborhood;
 - (3) Adversely affect the health and safety of residents or workers in the area;
 - (4) Constitute a violation of any provision of this Code or other applicable law.
- (d) The City Manager or his designee may impose terms, conditions and restrictions upon the grant of any special permit to stop, stand or park a truck described in subsection (b) of this section, that are reasonably necessary to protect adjacent properties, the neighborhood and the residents and workers therein, including but not limited to a requirement to park a truck off-street, require screening in connection with any off-street parking, and limiting the hours during which a truck may be parked.
- (e) The City Manager may conduct a public hearing on any application for a special permit at which all interested persons would have an opportunity to be heard. All owners of property within three hundred (300) feet of the lot boundaries where the truck is proposed to be parked shall be notified of the filing of an application for a special permit. With the approval of the Mayor and Council, the City Manager shall adopt rules and regulations governing the administration and issuance of special permits. The City Manager or his designee shall provide the applicant, in writing, with a copy of his decision concerning the application for a special permit.
- (f) No person shall stop, stand, or park a bus, truck tractor, or trailer, except a camping trailer, boat trailer, travel trailer, or any vehicle licensed as a multipurpose passenger vehicle (MPV) by the State on any residential street, except when actually loading or unloading persons or property, or when the operator or owner of such vehicle is actually engaged in rendering a service at or to an adjacent residential or public property.

(g) Definitions:

- (1) For the purposes of subsections (a) and (f) above, "residential streets" shall be those so classified by the City Manager according to section 21-57.
- (2) "Rated-load capacity (RLC)" is the rated load capacity of a vehicle as designated by the National Automobile Dealers' Association Used Car Guide.
- (3) Gross vehicle weight (GVW) is the weight of the vehicle and its load as designated by the National Automobile Dealers' Association Used Car Guide provided that a one-ton vehicle with a heavy duty option shall be considered as having an equivalent gross vehicle weight as the standard one-ton vehicle of the same make and model.
- (4) All other terms are as defined by Maryland Vehicle Law.

- (h) Every duly authorized police officer of the City or the County, or parking enforcement officer of the City, who discovers a vehicle parked in violation of subsection (a), ~~or (b)~~, or (f) of this section shall deliver a citation to the driver, or if the vehicle is unattended, attach a citation to the vehicle in a conspicuous place. The officer shall keep a copy of the citation bearing his certification under the penalty of perjury that the facts stated in the citation are true. In the absence of the driver, the registered owner of the vehicle is presumed to be the person receiving the citation. The person receiving a citation under subsection (a), ~~or (b)~~ or (f) of this section shall pay ~~twenty~~sixty dollars (\$~~20~~60.00) for the first violation within fifteen (15) days of the posting of such notice. The person receiving a citation under subsection (a), ~~or (b)~~ or (f) of this section shall pay fiftyone hundred twenty dollars (\$~~50~~120.00) for the second and subsequent violations within fifteen (15) days of the posting of such notice. ~~The person receiving a citation under subsection (a) or (b) of this section shall pay one hundred dollars (\$100.00) for the third and subsequent violations within fifteen (15) days of the posting of such notice.~~ In lieu of paying the sums cited in subsection (h) of this section, such person may elect to stand trial for the violation as provided in Section 26-303 of the Transportation Article of the Annotated Code of Maryland presently existing and as it may hereafter be amended. For the purpose of determining whether a citation is the second or subsequent violation, the date of the issuance of the citation shall control, provided that if a person elects to stand trial and is acquitted, any money paid for a subsequent violation shall be adjusted to reflect the acquittal and shall be refunded to the person.
- (i) If the owner fails to pay the penalty set forth in subsection (h) of this section within the time provided, or if the owner fails to elect to stand trial, the penalty provided in subsection (h) shall be increased by ten dollars (\$10.00).
- (j) The Chief of Police shall, in accordance with the procedures prescribed by the State Motor Vehicle Administration and State law, give or cause to be given notice to the Administration of all vehicles registered by the State and the subject of any outstanding and past due violation of this section and request that the Administration refuse registration or transfer of registration of the subject vehicle, until notified by the City that the violation has been satisfied. In such cases, the Chief of Police shall impose an additional cost of ten dollars (\$10.00) for each registration withheld and the owner of the

vehicle shall be subject to payment of such costs, and all other fines, penalties, and charges before notice is given to the Administration that the subject violation has been satisfied and the registration is released.

* * * *

DIVISION 2. PERMIT PARKING FOR RESIDENTS

Sec. 23-41. Legislative findings.

The Council finds that the health, safety and welfare of many residents of the City are adversely affected by the burden that is placed on the residents by virtue of nearby public and private facilities. Frequently, the use of streets within residential areas for parking of vehicles by persons using adjacent commercial, industrial, education, and transit areas or facilities, results in hazardous traffic conditions, the overburdening of existing streets, roads and other facilities, air and noise pollution, and the inability of residents of certain areas to obtain adequate parking adjacent or close by their places of residence and to secure ease of access to their places of residence. In order to reduce to the lowest extent possible the aforementioned conditions, to foster the use of mass transit facilities and to promote the safety, peace, good order, comfort, convenience, health and welfare of the residents of the City, the Council deems it essential that the parking permit authorization provided for in this division be enacted.

* * * *

Sec. 23-46. Violations and penalty.

- (a) Every duly authorized police officer of the City or the County, or parking enforcement officer of the City, who discovers a vehicle parked in violation of this division shall deliver a citation to the driver, or if the vehicle is unattended, attach a citation to the vehicle in a conspicuous place. The officer shall keep a copy of the citation bearing his certification under the penalty of perjury that the facts stated in the citation are true.
- (b) In the absence of the driver, the registered owner of the vehicle is presumed to be the person receiving the citation.
- (c) The person receiving a citation under this section shall pay directly to the City ~~forty-sixty~~ dollars (\$~~40~~60.00) for ~~each the first~~ parking violation and one hundred dollars (\$100.00) for subsequent violations ~~directly to the City~~, or such person may elect to stand trial for the violation as provided in section 26-303 of the Transportation Article of the Annotated Code of Maryland presently existing and as it may hereafter be amended.

* * * *

NOTE: Underlining indicates material added

~~Strikethrough~~ indicates material deleted

Asterisks * * * indicate material unchanged by this ordinance

Ordinance No. _____

-7-

* * * * *

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council of Rockville at its meeting of

City Clerk/Director of Council Operations

Attachment 9.B.b: Attachment B - Ord amending Chapter 23 (3687 : Police Department Parking Related Citation Fines)

City of Rockville Parking Fines			COMPARABLE JURISDICTIONS			
	FINES	Current	Montgomery County	City of Gaithersburg	City of Takoma Park	City of Frederick
Category						
1	No Parking w/o Consent of Owner	\$40	N/A	N/A	N/A	N/A
2	No Parking/Permit	\$40	\$50	\$60	\$45	20-30
3	No Parking Truck in Residential	1st, \$20 2nd, \$50 3rd or >, \$100	\$75	\$60	\$45	\$50
4	No Park Bus, Truck Tractor, or Trailer	1st, \$20 2nd, \$50 3rd or >, \$100	\$60	\$60	\$45	\$50
5	No Parking Sidewalk	\$40	\$60	\$60	\$40	\$30
6	Blocking Driveway	\$40	\$60	\$60	\$40	\$25
7	15' Fire Hydrant	\$250	\$60	\$250	\$50	\$100
8	Prohib Sign/Curb	\$40	\$60	\$60	\$45	\$30
9	Left Wheels to Curb	\$40	\$60	\$60	\$40	\$20
10	No Parking Grass/Median	\$40	\$60	\$60	\$40	\$20
11	Handicapped	\$250	\$250	\$250	\$255	\$250
12	Expired Meter	\$40	\$45	N/A	\$40	\$20
13	Double Parking	\$40	\$60	\$60	\$40	\$35
14	Other	\$40	\$60	\$60	\$40-\$45	\$15-\$75
15	No Parking Fire Lane	\$250	\$250	\$250	\$255	\$100
16	No Parking 30' Traffic Control	\$40	\$60	\$60	\$40	\$25
17	M/U of Visitor Permit	\$40	N/A	\$60	N/A	N/A
18	No Parking Impeding Traffic Flow	\$40	\$60	\$60	\$45	\$20
19	No Parking Bikeway	\$40	\$60	N/A	N/A	N/A
20	No Parking 20' Crosswalk	\$40	\$60	\$60	\$50	\$25
21	No Parking in 2 Spaces	\$40	\$60	\$60	\$40	\$20
22	Parked in Xwalk	\$40	\$60	\$60	\$45	\$25
23	Not Parked in Line	\$40	\$60	\$60	N/A	\$20
24	No Parking 5' Driveway	\$40	\$60	\$60	\$45	N/A
25	Over Posted Time	\$40	\$50	\$60	\$40	\$20
26	Snow Emergency	\$100	\$85	\$60	\$105	\$100
27	Penalties	15 days: +\$10 30 days: +\$10	15 days: +\$25 45 days: +\$25	double after 30 days	double after 15 days 30 days: +\$15	double after 10 days 25 days: +\$15 30 days: + \$10



Mayor & Council Meeting Date: October 18, 2021

Agenda Item Type: Consent

Department: PDS - Zoning Review & Other

Responsible Staff: Jim Wasilak

Subject

Adoption of an Ordinance to Approve Zoning Text Amendment TXT2021-00260, to Modify the Requirements for Project Plans, Roadway Classifications in Mixed Use Zones, Minor and Major Site Plan Amendments, Development Approval Abandonment, the Definition of Demolition, and the Addition of Research and Development Use and Related Parking Standards; Mayor and Council of Rockville, Applicants

Recommendation

Staff recommends that the Mayor and Council review and adopt the ordinance with the revisions approved on October 4, 2021.

Change in Law or Policy

The purpose and intent of this application is to amend Chapter 25 of the Rockville City Code entitled "Zoning" by amending Sections 25.01, 25.03.02, 25.04.04, 25.05.07, 25.07, 25.13.03, 25.13.06, and 25.16.03 to modify the following: requirements for Project Plans, roadway classifications in mixed use zones, minor and major site plan amendments, and the definition of demolition; allow for development approval abandonment; and add research and development use as a permitted use in certain zones, including an associated parking standard.

Discussion

At the October 4 meeting, the Mayor and Council discussed this text amendment. Ultimately, the Mayor and Council unanimously adopted a motion to direct staff to revise the ordinance to reflect the following changes: (1) limit minor amendments for commercial redevelopment to applications proposing no more than 5,000 square feet of additional development; (2) to require advanced notice be mailed a minimum of three weeks prior to staff action on a minor amendment for commercial redevelopment for the public, and three weeks advanced notification to the Planning Commission and the Mayor and Council; and (3) to require 1.5 auto parking spaces per 1,000 square feet for research and development uses, with a footnote permitting 1 auto parking space per 1,000 square feet for research and development uses within 1 mile of a Metrorail station or a bus stop, and bring the revised ordinance back to the Mayor and Council at the next available Consent Agenda. The ordinance (Attachment A) has been revised to reflect those changes as requested by the Mayor and Council, as well as a

minor revision for clarity and consistency in the major amendment section. All revisions have been highlighted.

Mayor and Council History

The Mayor and Council authorized the filing of this application on April 12, 2021. A public hearing was conducted on June 21, 2021. Two speakers addressed the Mayor and Council at the public hearing: Barbara Sears and Bob Elliott, both representing Lantian. They also submitted a letter into the public record (See attachment). The Mayor and Council held a Discussion and Instructions to Staff at the July 12, 2021 Mayor and Council meeting, and a further Discussion and Instructions to Staff at the September 13, 2021 Mayor and Council meeting, at which the attached ordinance was introduced. The Mayor and Council further discussed the proposed ordinance on October 4, 2021 and voted to direct staff to revise the ordinance with changes as listed above, and to bring the revised ordinance back to the Mayor and Council.

Public Notification and Engagement

This public hearing was advertised in the Washington Post on June 5 and June 12, 2021. It was posted to the City of Rockville's website, the City of Rockville Nextdoor account, and the cable channel 11 bulletin board. It was also sent to Community Homeowner and Civic Associations.

Boards and Commissions Review

The application was referred to the Planning Commission for a recommendation in advance of the Mayor and Council's public hearing. The Planning Commission considered the application at its May 14th and May 28th meetings. At the May 14th briefing, the Commission asked for more information on the Research and Development parking requirements in the County, as well as the definition of demolition found in other jurisdictions. At the May 28th meeting, the Commission was satisfied with the responses provided and unanimously recommended approval of all aspects of the text amendment (See attached memo at Attachment H).

Next Steps

If the attachment reflects the revisions desired by the Mayor and Council on October 4th, the Mayor and Council can vote to adopt the ordinance. Upon adoption, it will become effective immediately.

Attachments

Attachment 9.C.a:	Draft ordinance TXT2021-00260	(PDF)
Attachment 9.C.b:	Redlined Text Amendment TXT2021-00260	(PDF)
Attachment 9.C.c:	Text Amendment as Authorized	(PDF)
Attachment 9.C.d:	Letter of Support from REDI	(PDF)
Attachment 9.C.e:	Letter from Boston Properties	(PDF)
Attachment 9.C.f:	Impacted Properties of Prosepctive TXT for Site Plan Amendments	(PDF)
Attachment 9.C.g:	Testimony from Lantian	(PDF)

Attachment 9.C.h: PC Recommendation TXT2021-00260 Final (PDF)

A handwritten signature in black ink, appearing to read "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

10/12/2021

Ordinance No. ____

ORDINANCE:

To grant Text Amendment Application No. TXT2021-00260, as amended, Mayor and Council of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, filed Text Amendment Application TXT2021-00260 for the purpose of amending Chapter 25 of the Rockville City Code, “Zoning,” so as to revise Chapter 25 for the purpose of amending Sections 25.01, 25.03.02, 25.04.04, 25.05.07, 25.07, 25.13.03, 25.13.06, and 25.16.03 to modify the following: requirements for Project Plans, roadway classifications in mixed use zones, minor and major site plan amendments, and the definition of demolition; allow for development approval abandonment; and add research and development use as a permitted use in certain zones, including an associated parking standard; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meetings of May 8 and May 22, 2021, and recommended approval of the proposed amendment to the Mayor and Council, with certain comments; and

WHEREAS, pursuant to the Land Use Article of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by virtually by the Mayor and Council via WebEx on June 21, 2021, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on June 21, 2021, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council, having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council have decided that the granting of

Ordinance No. _____

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this application, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
ROCKVILLE, MARYLAND, as follows:

Amend Article 1, “General Information” as follows:

Sec. 25.01.10 – Abandonment of development approval.

The owner or owners of property subject to a valid and approved project plan, site plan, or special exception may seek to abandon such approval by filing a letter of abandonment with the Chief of Zoning. A letter of abandonment must be signed by all owners of property subject to the approval. An approval may only be abandoned if no new additional uses exist that are subject to the approval and no construction has commenced under the approval. Upon receipt of a letter of abandonment of an eligible approval, the Chief of Zoning must confirm the abandonment in writing.

Amend Article 3, “Definitions; Terms of Measurement and Calculations”, as follows:

* * *

25.03.02 – Words and Terms Defined

* * *

Demolition means the: The complete razing or removal of more than 50 percent of the floor area of a building or structure, or substantial reconstruction that removes more than 50 percent of the building floor area, as defined in Chapter 5.

* * *

Life Science means the research, development, and manufacturing activities in one or more of the following scientific fields: biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, bioinformatics, medicine, immunology, embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals, pharmacogenomics, drug production, genetic testing, or gene therapy activities. For a business, institution, or government agency conducting such activities, Life Sciences also includes related activities and supporting services, such as administrative offices, educational facilities, libraries, data services, nanotechnology, informational technology, and robotics.

Research and Development means study, research, or experimentation in one or more scientific fields such as life sciences, biomedical research, communications, chemistry, computer science, electronics, medicine, and physics. Research and Development also includes the development of prototypes and the marketing of resultant products and related

activities and may include the use of administrative offices, educational facilities, libraries, and data services, and the manufacturing, mixing, fermentation, treatment, assembly, packaging, and servicing of products.

* * *

Amend Article 4, “Approving Authorities”, as follows:

* * *

Sec. 25.04.04. - Historic District Commission.

a. Established. There is established an Historic District Commission for the City.

b. Powers and duties.

1. Generally. The Historic District Commission has all those powers and duties conferred and imposed upon it by this chapter and the provisions of State law, including but not limited to:

(a) Identifying and recommending to the Mayor and Council properties and/or areas deemed eligible for historic designation due to their historic, archaeological, or architectural significance;

(b) Reviewing applications for certificates of approval for sites, buildings or structures within a historic district zone;

(c) Evaluating eligibility for historic designation of any sites, buildings or structures located outside a historic district zone which are proposed for demolition, as defined in this Chapter, or substantial reconstruction, as defined in Chapter 5;

(d) Providing courtesy review to the Planning Commission and Mayor and Council as requested, for projects within or adjacent to historic resources.

* * *

Amend Article 5, “Application and Notification Generally”

* * *

Sec. 25.05.07. Amendments to approved development.

a. *Application required.* Except as otherwise provided, an application to amend any previously approved development must be filed with the Chief of Zoning~~Planning~~ in accordance with the provisions of this article.

b. *Minor amendments to approved development.*

1. Any application for an amendment which does not significantly deviate from the terms and conditions of the original approval and would effectively carry out the intent of the Approving Authority's original approval may be considered and acted upon by the Chief of Zoning Planning under the provisions for a level 1 site plan as set forth in section 25.07.04.
 - (a) Such application may be approved if it results in a minimal effect on the overall design, layout, quality, or intent of the plan and is limited to minor adjustments to site engineering, parking or loading areas, landscaping, sidewalks, recreational facilities, recreational areas, public use space, or open area in a manner that does not alter basic elements of the site plan nor cause a safety hazard. Landscaping maintenance does not require an amendment application under this section. The addition or relocation of minor appurtenances such as, but not limited to, bicycle racks, seating benches, ~~and pergolas, emergency generators, transformers, refrigeration equipment, trash enclosures, sidewalks and small storage sheds,~~ does not require an amendment application, but must not alter the basic elements of the site plan nor cause a safety hazard.
 2. An amendment~~Modifications~~ that results in a reduction of floor area or other development intensity may be approved ~~by the Chief of Planning as a minor amendment.~~
 32. A change in the types of uses on the site that is in conformance with the findings of the initial approval and does not increase the parking requirement does not require approval of may also be approved as a minor amendment.
 43. Minor amendments~~changes~~ are not subject to the provisions for pre-application staff meetings, area meetings, and the notice provisions of Section 25.05.03 or Article 7.
 54. Where the Chief of Zoning Planning determines that the proposed amendment change is not minor, it is classified as a major amendment change and the application is reviewed and acted on by referred to the Approving Authority as an amendment to the original development approval for review.
 65. Implementation period. The approval of a minor amendment is subject to the implementation provisions of Section 25.07.06.
- c. Minor amendments for commercial redevelopment.
1. To encourage and expedite the re-use and redevelopment of existing commercial structures subject to approved project plans or site plans, or within a Planned Development, the Chief of Zoning may accept an application for a minor amendment for commercial redevelopment under the provisions for a minor amendment to approved development in Section 25.05.07.b above, subject to the following requirements.
 - (a) The property must be in the I-L, MXTD, MXCD, or MXE zone and must be subject to a valid and approved project plan, site plan or use permit or the equivalent development approval.
 - (b) The limits of disturbance of the amendment must be at least 300 feet from the nearest single-family detached or attached residential use, as measured from the nearest property line. This requirement does not apply if a transportation right-of-

way with a width greater than 100 feet or any adjacent parcel of land intended to provide a buffer or open space is located between the residential use and the proposed improvement.

- (c) The property must not be in a historic district.
- (d) The application may only include commercial, office, or industrial uses.
- (e) The application may include new buildings or building additions, subject to the limitations below.

(f) Notwithstanding Section 25.05.07.b.4, at least three weeks before the Chief of Zoning acts on an application under this section, the City must provide written notice of the filing of the application to all property owners, civic associations and homeowners associations within 500 feet of the subject property in accordance with Sec. 25.05.03.c and electronic notice of the filing of the application to the Planning Commission and Mayor and Council.

- 2. The Chief of Zoning may approve a minor amendment for commercial redevelopment if the application meets the project plan or site plan approval findings in Section 25.07.01 as appropriate; the requirements of subsection c.1, above; and the following additional findings:

- (a) For amendments to a site plan, the application does not add more than 5,000 square feet of additional gross floor area, does not result in a comprehensive change to more than twenty (20) percent of the site plan area, and does not otherwise change the essential character and impact of the development.
- (b) The application does not generate more than twenty-nine (29) additional peak hour trips.
- (c) The application does not expand any existing zoning nonconformity.
- (d) For amendments to a project plan or planned development, the amendment will not cause the following:
 - 1. An increase in overall project density;
 - 2. A change in permitted uses or mix of uses; and
 - 3. A deviation from any of the required conditions.

de. Major amendments to approved development.

- 1. Where the Chief of Zoning Planning determines that a requested change is too significant to be a minor change or does not qualify under Section 25.05.07.c but is not so substantial as to require an entirely new application for approval, the requested change must be reviewed and approved by the original Approving Authority as an amendment to the original development approval. Major amendments may include:
 - (a) An increase in the height of any building;
 - (b) An increase in the floor area of any non-residential portion of a building;
 - (c) An increase in the number of dwelling units; or
 - (d) Any other significant change to the site that results in an increase in the parking requirement and requires the construction of additional parking spaces.

2. An application for a major amendment is subject to the notice and procedural requirements as set forth in Section 25.07.03. The application will be processed under the procedures for either a level 1 or a level 2 site plan, depending on the initial Approving Authority.
 3. Reserved.
 4. Implementation period. The approval of a major amendment is subject to the implementation provisions of section 25.07.06.
- ed. *Substantial changes requiring a new application.* Where, in the opinion of the Chief of Zoning Planning, the requested change to an approved development is so extensive as to amount to a comprehensive change to more than fifty (50) percent of the project area or to otherwise change the essential character and impact of the development, such change may not be made by way of an amendment to the original approval, but rather requires the filing of an entirely new application for approval.

Amend Article 7, “Procedures for Site Plans and Project Plans, Special Exceptions, and Other Permits”, as follows:

Sec. 25.07.02, Application Procedure for Site Plans, Project Plans, and Special Exceptions

* * *

b. Application Procedure, in General –

* * *

4. For any Level 2 site plan application that includes property that is the subject of a pending Annexation petition, the application must be processed as a Project Plan application subject to Mayor and Council review and approval.

* * *

Sec. 25.07.07, Project Plan Review

An application for a site plan review with 16 or more points, as determined in Section 25.07.02.b above, an application qualifying as a Project Plan under Section 25.07.02.b.4 above, or an application for a Champion Project as defined in Article 3, is processed as a Project Plan review and is subject to the following provisions:

* * *

Sec. 25.07.16 – Alternate site plan approval.

An applicant for development on property subject to an approved project plan may elect to pursue approval of an alternate site plan for development inconsistent with the approved project plan subject to the following:

- a. The development proposed by the alternate site plan application must qualify as a Level 1 or Level 2 site plan under Section 25.07.02.b.
- b. An alternate site plan application must be made or authorized by all owners of property subject to the approved project plan.
- c. No site plans implementing the approved project plan may be valid at the time the alternate site plan application is filed.
- d. Upon the filing of an application for an alternate site plan, any pending site plan applications implementing the approved project plan are deemed withdrawn, and no site plan applications implementing the approved project plan may be filed.
- e. Approval of an alternate site plan must be made under Section 25.07.01.3(a).
- f. Upon approval of an alternate site plan, no site plan implementing the approved project plan may be approved unless the project plan is amended to be consistent with the alternate site plan. If the Mayor and Council does not approve such an amendment to the project plan within two years of approval of the alternate site plan, the project plan is deemed abandoned. The Mayor and Council may grant no more than two six-month extensions to this timeline.

* * *

Amend Article 12, "Industrial Zones"

* * *

Sec. 25.12.03, Land Use Tables

* * *

e. Commercial, office and industrial uses (con't.)	Uses	Zones		Conditional Requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Office Uses:			
	Duplicating service	P	N	
	Office	C	N	Conditional use limited to 25% of the gross floor area of a building
	Medical or dental laboratory	P	N	
	<u>Research and Development</u>	<u>P</u>	<u>N</u>	

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* * *

Amend Article 13, “Mixed Use Zones”, as follows:

* * *

Sec. 25.13.03, Land Use Tables

* * *

	Zones								
	Commercial and Office Uses	Mixed-use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed Use Commercial (MXC)	Mixed-Use Transition (MXT)
	* * *								
	<u>Research and Development</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
	* * *								

Sec. 25.13.06, Additional Design Guidelines

* * *

Sec. 25.13.06.c, Site Design and Relationship to Surrounding Community

~~1. *Vehicular Access*— In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access only from an arterial, major, or business district road as designated in the Plan.~~

12. *Buffers*....

Amend Article 16, Parking and Loading

Sec. 25.16.03 – Number of Spaces Required

		Auto Parking Spaces		Bicycle Parking Spaces			
Use Category	Use	Unit Measure	Base Number Required	Unit Measure	Short Term Space	Long Term Space	Additional Requirements

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Commercial (cont.)	***						
	<u>Research and Develop- ment</u>	<u>Per 1,000 gross SF</u>	<u>1.5</u>	<u>Square feet of gross floor area</u>	<u>2 per 40,000 SF</u>	<u>2 per 10,000 SF</u>	

¹The auto parking requirement for Research and Development use within 1 mile of a Metrorail station or bus stop is 1.0 spaces per 1,000 gross SF.

* * *

NOTE: ~~Strikethroughs~~ indicate material deleted
Underlining indicates material added
 Asterisks * * * indicate material unchanged by this ordinance

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of September 13, 2021.

 Sara Taylor-Ferrell, City Clerk/Director of Council Operations

Ordinance No. _____

September 13, 2021

ATTACHMENT TO APPLICATION
TO THE CITY OF ROCKVILLE FOR A
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of the City of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~strike throughs~~ indicate text to be deleted; * * * indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article 1, “General Information” as follows:

Sec. 25.01.10 – Abandonment of development approval.

The owner or owners of property subject to a valid and approved project plan, site plan, or special exception may seek to abandon such approval by filing a letter of abandonment with the Chief of Zoning. A letter of abandonment must ~~be~~include an affidavit signed by all owners of property owners stating that all parties property owners having a legal interest in the property subject to the approval consent to the abandonment. An approval may only be abandoned if no new additional uses exist that are subject to the approval and no building permits have been issued implementing the approval construction has commenced under the approval. Upon receipt of a letter of abandonment of an eligible approval, the Chief of Zoning must confirm the abandonment in writing.

Amend Article 3, “Definitions; Terms of Measurement and Calculations”, as follows:

* * *

25.03.02 – Words and Terms Defined

* * *

Demolition means the: The complete razing or removal of more than 50 percent of the floor area of a building or structure, or substantial reconstruction that removes more than 50 percent of the building floor area, as defined in Chapter 5.

* * *

Life Science means the research, development, and manufacturing activities in one or more of the following scientific fields: biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, bioinformatics, medicine, immunology, embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals, pharmacogenomics, drug production, genetic testing, or gene therapy activities. For a business, institution, or government agency conducting such activities, Life Sciences also includes related activities and supporting services, such as administrative offices, educational facilities, libraries, data services, nanotechnology, informational technology, and robotics.

Research and Development means study, research, or experimentation in one or more scientific fields such as life sciences, biomedical research, communications, chemistry, computer science, electronics, medicine, and physics. Research and Development also includes the development of prototypes and the marketing of resultant products and related activities and may include the use of administrative offices, educational facilities, libraries, and data services, and the manufacturing, mixing, fermentation, treatment, assembly, packaging, and servicing of products.

* * *

Amend Article 4, “Approving Authorities”, as follows:

* * *

Sec. 25.04.04. - Historic District Commission.

a. Established. There is established an Historic District Commission for the City.

b. Powers and duties.

1. Generally. The Historic District Commission has all those powers and duties conferred and imposed upon it by this chapter and the provisions of State law, including but not limited to:

(a) Identifying and recommending to the Mayor and Council properties and/or areas deemed eligible for historic designation due to their historic, archaeological, or architectural significance;

(b) Reviewing applications for certificates of approval for sites, buildings or structures within a historic district zone;

(c) Evaluating eligibility for historic designation of any sites, buildings or structures located outside a historic district zone which are proposed for demolition, as defined in this Chapter, or substantial reconstruction, as defined in Chapter 5;

(d) Providing courtesy review to the Planning Commission and Mayor and Council as requested, for projects within or adjacent to historic resources.

* * *

Amend Article 5, “Application and Notification Generally”

* * *

Sec. 25.05.07. Amendments to approved development.

- a. *Application required.* Except as otherwise provided, an application to amend any previously approved development must be filed with the Chief of Zoning Planning in accordance with the provisions of this article.
- b. *Minor amendments to approved development.*
 1. Any application for an amendment which does not significantly deviate from the terms and conditions of the original approval and would effectively carry out the intent of the Approving Authority's original approval may be considered and acted upon by the Chief of Zoning Planning under the provisions for a level 1 site plan as set forth in section 25.07.04.
 - (a) Such application may be approved if it results in a minimal effect on the overall design, layout, quality, or intent of the plan and is limited to minor adjustments to site engineering, parking or loading areas, landscaping, sidewalks, recreational facilities, recreational areas, public use space, or open area in a manner that does not alter basic elements of the site plan nor cause a safety hazard. Landscaping maintenance does not require an amendment application under this section. The addition or relocation of minor appurtenances such as, but not limited to, bicycle racks, seating benches, ~~and pergolas, emergency generators, transformers,~~ refrigeration equipment, trash enclosures, sidewalks and small storage sheds, does not require an amendment application, but must not alter the basic elements of the site plan nor cause a safety hazard.
 2. An amendment~~Modifications~~ that results in a reduction of floor area or other development intensity may be approved ~~by the Chief of Planning as a minor amendment.~~
 32. A change in the types of uses on the site that is in conformance with the findings of the initial approval and does not increase the parking requirement does not require approval of~~may also be approved as~~ a minor amendment.
 43. Minor amendments~~changes~~ are not subject to the provisions for pre-application staff meetings, area meetings, and the notice provisions of section 25.05.03 or article 7.
 54. Where the Chief of Zoning Planning determines that the proposed amendment change is not minor, it is classified as a major amendment change and the application is reviewed and acted on by ~~referred to~~ the Approving Authority as an amendment to the original development approval for review.
 65. Implementation period. The approval of a minor amendment is subject to the implementation provisions of section 25.07.06.
- c. *Minor amendments for commercial redevelopment.*

1. To encourage and expedite the re-use and redevelopment of existing commercial structures subject to approved project plans or site plans, or within a Planned Development, the Chief of Zoning may accept an application for a minor amendment for commercial redevelopment under the provisions for a minor amendment to approved development in Section 25.05.07.b above, level 1 site plan as set forth in section 25.07.04., subject to the following requirements.
 - (a) The property must be in the I-L, MXTD, MXCD, or MXE zone and must be subject to a valid and approved project plan, site plan or use permit or the equivalent development approval.
 - (b) The limits of disturbance of the amendment property must be at least 300 feet from the nearest single-family detached or attached residential use, as measured from the nearest property line. This requirement does not apply if a transportation right-of-way with a width greater than 100 feet or any adjacent parcel of land intended to provide a buffer or open space is located between the residential use and the proposed improvement.
 - (c) The property must not be in a historic district.
 - (d) The application may only include commercial, office, or industrial uses.
 - (e) The application may must not include any new buildings or building additions, subject to the limitations below.
 2. The Chief of Zoning may approve a minor amendment site plan for commercial redevelopment if the application meets the project plan or site plan approval findings in Section 25.07.01.a.3(a) as appropriate; the requirements of subsection c.1, above; and the following additional findings:
 - (a) For amendments to a site plan, the application does not result in a comprehensive change to more than twenty (20) percent of the site plan or project plan area, or otherwise change the essential character and impact of the development.
 - (b) The application does not generate more than twenty-nine (29) additional peak hour trips.
 - (c) The application does not expand any existing zoning nonconformity.
 - (d) For amendments to a project plan or planned development, the amendment will not cause the following:
 1. An increase in overall project density;
 2. A change in permitted uses or mix of uses; and
 3. A deviation from any of the required conditions.
- de. *Major amendments to approved development.*
1. Where the Chief of ~~Zoning~~Planning determines that a requested change is too significant to be a minor change but is not so substantial as to require an entirely new application for approval, the requested change must be reviewed and approved by the original Approving Authority as an amendment to the original development approval. Major amendments may include:
 - (a) An increase in the height of any building;
 - (b) An increase in the floor area of any non-residential portion of a building;

- (c) An increase in the number of dwelling units; or
 - (d) Any other significant change to the site that results in an increase in the parking requirement and requires the construction of additional parking spaces.
2. An application for a major amendment is subject to the notice and procedural requirements as set forth in section 25.07.03. The application will be processed under the procedures for either a level 1 or a level 2 site plan, depending on the initial Approving Authority.
 3. Reserved.
 4. Implementation period. The approval of a major amendment is subject to the implementation provisions of section 25.07.06.
- ed. *Substantial changes requiring a new application.* Where, in the opinion of the Chief of ~~Zoning~~~~Planning~~, the requested change to an approved development is so extensive as to amount to a comprehensive change to more than fifty (50) percent of the project area or to otherwise change the essential character and impact of the development, such change may not be made by way of an amendment to the original approval, but rather requires the filing of an entirely new application for approval.

Amend Article 7, “Procedures for Site Plans and Project Plans, Special Exceptions, and Other Permits”, as follows:

Sec. 25.07.02, Application Procedure for Site Plans, Project Plans, and Special Exceptions

* * *

b. Application Procedure, in General –

* * *

4. For any **Level 2 site plan** application that includes property that is the subject of a pending Annexation petition, the application must be processed as a Project Plan application subject to Mayor and Council review and approval.

* * *

Sec. 25.07.07, Project Plan Review

An application for a site plan review with 16 or more points, as determined in Section 25.07.02.b above, an application qualifying as a Project Plan under Section 25.07.02.b.4 above, or an application for a Champion Project as defined in Article 3, is processed as a Project Plan review and is subject to the following provisions:

* * *

Sec. 25.07.16 – Alternate site plan approval.

An applicant for development on property subject to an approved project plan may elect to pursue approval of an alternate site plan for development inconsistent with the approved project plan subject to the following:

a. The development proposed by the alternate site plan application must qualify as a Level 1 or Level 2 site plan under Section 25.07.02.b.

b. An alternate site plan application must be made or authorized by all ~~property owners or other parties subject to or having a legal interest in and the applicant for of property subject to the~~ approved project plan.

c. No site plans implementing the approved project plan may be valid at the time the alternate site plan application is filed.

d. Upon the filing of an application for an alternate site plan, any pending site plan applications implementing the approved project plan are deemed withdrawn, and no site plan applications implementing the approved project plan may be filed.

e. Approval of an alternate site plan must be made under Section 25.07.01.3(a).

f. Upon approval of an alternate site plan, no site plan implementing the approved project plan may be approved unless the project plan is amended to be consistent with the alternate site plan. If the Mayor and Council does not approve such an amendment to the project plan within ~~two years eighteen (18) months~~ of approval of the alternate site plan, the project plan is deemed abandoned. ~~The Mayor and Council may grant no more than two six-month extensions to this timeline.~~

Amend Article 12, "Industrial Zones" as follows:

* * *

Sec. 25.12.03, Land Use Tables

* * *

e. Commercial, office and industrial uses (con't.)	Uses	Zones		Conditional Requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Office Uses:			
	Duplicating service	P	N	
	Office	C	N	Conditional use limited to 25% of the gross floor area of a building
	Medical or dental laboratory	P	N	
	<u>Research and Development</u>	<u>P</u>	<u>N</u>	

* * *

Amend Article 13, “Mixed Use Zones”, as follows:

* * *

Sec. 25.13.03, Land Use Tables

* * *

	Zones								
	<u>Commercial and Office Uses</u>	Mixed-use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed Use Commercial (MXC)	Mixed-Use Transition (MXT)
	* * *								
	<u>Research and Development</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
	* * *								

Sec. 25.13.06, Additional Design Guidelines

* * *

Sec. 25.13.06.c, Site Design and Relationship to Surrounding Community

~~1. Vehicular Access~~ In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access only from an arterial, major, or business district road as designated in the Plan.

~~12. Buffers....~~

Amend Article 16, Parking and Loading

Sec. 25.16.03 – Number of Spaces Required

Use Category	Use	Auto Parking Spaces		Bicycle Parking Spaces			Additional Requirements
		Unit Measure	Base Number Required	Unit Measure	Short Term Space	Long Term Space	
Commercial (cont.)	***						
	<u>Research and Development</u>	<u>Per 1,000 gross SF</u>	<u>1</u>	<u>Square feet of gross floor area</u>	<u>2 per 40,000 SF</u>	<u>2 per 10,000 SF</u>	

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* * *

April 12, 2021

ATTACHMENT TO APPLICATION
TO THE CITY OF ROCKVILLE FOR A
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of the City of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~strike throughs~~ indicate text to be deleted; * * * indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article 1, “General Information” as follows:

Sec. 25.01.10 – Abandonment of development approval,

The owner or owners of property subject to a valid and approved project plan, site plan, or special exception may seek to abandon such approval by filing a letter of abandonment with the Chief of Zoning. A letter of abandonment must include an affidavit signed by all property owners stating that all parties having a legal interest in the property subject to the approval consent to the abandonment. An approval may only be abandoned if no uses exist that are subject to the approval and no building permits have been issued implementing the approval. Upon receipt of a letter of abandonment of an eligible approval, the Chief of Zoning must confirm the abandonment in writing.

Amend Article 3, “Definitions; Terms of Measurement and Calculations”, as follows:

* * *

25.03.02 – Words and Terms Defined

* * *

Demolition means the: The complete razing or removal of more than 50 percent of the floor area of a building or structure, or substantial reconstruction that removes more than 50 percent of the building floor area, as defined in Chapter 5.

* * *

Research and Development means study, research, or experimentation in one or more scientific fields such as life sciences, biomedical research, communications, chemistry,

computer science, electronics, medicine, and physics. Research and Development also includes the development of prototypes and the marketing of resultant products and related activities and may include the use of administrative offices, educational facilities, libraries, and data services, and the manufacturing, mixing, fermentation, treatment, assembly, packaging, and servicing of products.

* * *

Amend Article 4, “Approving Authorities”, as follows:

* * *

Sec. 25.04.04. - Historic District Commission.

a. Established. There is established an Historic District Commission for the City.

b. Powers and duties.

1. Generally. The Historic District Commission has all those powers and duties conferred and imposed upon it by this chapter and the provisions of State law, including but not limited to:

(a) Identifying and recommending to the Mayor and Council properties and/or areas deemed eligible for historic designation due to their historic, archaeological, or architectural significance;

(b) Reviewing applications for certificates of approval for sites, buildings or structures within a historic district zone;

(c) Evaluating eligibility for historic designation of any sites, buildings or structures located outside a historic district zone which are proposed for demolition, as defined in this Chapter, or substantial reconstruction, as defined in Chapter 5;

(d) Providing courtesy review to the Planning Commission and Mayor and Council as requested, for projects within or adjacent to historic resources.

* * *

Amend Article 5, “Application and Notification Generally”

* * *

Sec. 25.05.07. Amendments to approved development.

a. *Application required.* Except as otherwise provided, an application to amend any previously approved development must be filed with the Chief of Zoning Planning in accordance with the provisions of this article.

b. *Minor amendments to approved development.*

1. Any application for an amendment which does not significantly deviate from the terms and conditions of the original approval and would effectively carry out the intent of the Approving Authority's original approval may be considered and acted upon by the Chief of Zoning Planning under the provisions for a level 1 site plan as set forth in section 25.07.04.
 - (a) Such application may be approved if it results in a minimal effect on the overall design, layout, quality, or intent of the plan and is limited to minor adjustments to site engineering, parking or loading areas, landscaping, sidewalks, recreational facilities, recreational areas, public use space, or open area in a manner that does not alter basic elements of the site plan nor cause a safety hazard. Landscaping maintenance does not require an amendment application under this section. The addition or relocation of minor appurtenances such as, but not limited to, bicycle racks, seating benches, ~~and~~ pergolas, emergency generators, transformers, refrigeration equipment, trash enclosures, and small storage sheds, does not require an amendment application, but must not alter the basic elements of the site plan nor cause a safety hazard.
2. ~~An amendment~~ Modifications that results in a reduction of floor area or other development intensity may be approved ~~by the Chief of Planning as a minor amendment~~.
32. A change in the types of uses on the site that is in conformance with the findings of the initial approval and does not increase the parking requirement may also be approved as a minor amendment.
43. Minor ~~amendments~~ changes are not subject to the provisions for pre-application staff meetings, area meetings, and the notice provisions of section 25.05.03 or article 7.
54. Where the Chief of ~~Zoning Planning~~ determines that the ~~proposed amendment~~ change is not minor, it is classified as a major amendment change and the application is reviewed and acted on by referred to the Approving Authority as an amendment to the original development approval for review.
65. Implementation period. The approval of a minor amendment is subject to the implementation provisions of section 25.07.06.
- c. *Minor amendments for commercial redevelopment.*
 1. To encourage and expedite the re-use and redevelopment of existing commercial structures subject to approved site plans, the Chief of Zoning may accept an application for a minor amendment for commercial redevelopment under the provisions for a level 1 site plan as set forth in section 25.07.04., subject to the following requirements.
 - (a) The property must be in the I-L, MXTD, MXCD, or MXE zone and must be subject to a valid and approved site plan.
 - (b) The property must be at least 300 feet from the nearest single-family attached residential use, as measured from the nearest property line.
 - (c) The property must not be in a historic district.
 - (d) The application may only include commercial, office, or industrial uses.

- (e) The application must not include any new buildings.
- 2. The Chief of Zoning may approve a minor site plan for commercial redevelopment if the application meets the site plan approval findings in Section 25.07.01.a.3(a); the requirements of subsection c.1, above; and the following additional findings:
 - (a) The application does not result in a comprehensive change to more than twenty (20) percent of the project area or otherwise change the essential character and impact of the development.
 - (b) The application does not generate more than twenty-nine (29) additional peak hour trips.
 - (c) The application does not expand any existing zoning nonconformity.
- de. Major amendments to approved development.
 - 1. Where the Chief of ZoningPlanning determines that a requested change is too significant to be a minor change but is not so substantial as to require an entirely new application for approval, the requested change must be reviewed and approved by the original Approving Authority as an amendment to the original development approval. Major amendments may include:
 - (a) An increase in the height of any building;
 - (b) An increase in the floor area of any non-residential portion of a building;
 - (c) An increase in the number of dwelling units; or
 - (d) Any other significant change to the site that results in an increase in the parking requirement and requires the construction of additional parking spaces.
 - 2. An application for a major amendment is subject to the notice and procedural requirements as set forth in section 25.07.03. The application will be processed under the procedures for either a level 1 or a level 2 site plan, depending on the initial Approving Authority.
 - 3. Reserved.
 - 4. Implementation period. The approval of a major amendment is subject to the implementation provisions of section 25.07.06.
- ed. Substantial changes requiring a new application. Where, in the opinion of the Chief of ZoningPlanning, the requested change to an approved development is so extensive as to amount to a comprehensive change to more than fifty (50) percent of the project area or to otherwise change the essential character and impact of the development, such change may not be made by way of an amendment to the original approval, but rather requires the filing of an entirely new application for approval.

Amend Article 7, "Procedures for Site Plans and Project Plans, Special Exceptions, and Other Permits", as follows:

Sec. 25.07.02, Application Procedure for Site Plans, Project Plans, and Special Exceptions

* * *

b. Application Procedure, in General –

* * *

4. For any application that includes property that is the subject of a pending Annexation petition, the application must be processed as a Project Plan application subject to Mayor and Council review and approval.

* * *

Sec. 25.07.07, Project Plan Review

An application for a site plan review with 16 or more points, as determined in Section 25.07.02.b above, an application qualifying as a Project Plan under Section 25.07.02.b.4 above, or an application for a Champion Project as defined in Article 3, is processed as a Project Plan review and is subject to the following provisions:

* * *

Sec. 25.07.16 – Alternate site plan approval.

An applicant for development on property subject to an approved project plan may elect to pursue approval of an alternate site plan for development inconsistent with the approved project plan subject to the following:

a. The development proposed by the alternate site plan application must qualify as a Level 1 or Level 2 site plan under Section 25.07.02.b.

b. An alternate site plan application must be made or authorized by all property owners or other parties subject to or having a legal interest in the approved project plan.

c. No site plans implementing the approved project plan may be valid at the time the alternate site plan application is filed.

d. Upon the filing of an application for an alternate site plan, any pending site plan applications implementing the approved project plan are deemed withdrawn, and no site plan applications implementing the approved project plan may be filed.

e. Approval of an alternate site plan must be made under Section 25.07.01.3(a).

f. Upon approval of an alternate site plan, no site plan implementing the approved project plan may be approved unless the project plan is amended to be consistent with the alternate site plan. If the Mayor and Council does not approve such an amendment to the project plan within eighteen (18) months of approval of the alternate site plan, the project plan is deemed abandoned.

* * *

Amend Article 13, “Mixed Use Zones”, as follows:

* * *

Sec. 25.13.03, Land Use Tables

* * *

	Zones								
Uses	Mixed-use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed Use Commercial (MXC)	Mixed-Use Transition (MXT)	
* * *									
<u>Research and Development</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	
* * *									

Sec. 25.13.06, Additional Design Guidelines

* * *

Sec. 25.13.06.c, Site Design and Relationship to Surrounding Community

~~1. Vehicular Access—In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access only from an arterial, major, or business district road as designated in the Plan.~~

~~12. Buffers....~~

Amend Article 16, Parking and Loading

Sec. 25.16.03 – Number of Spaces Required

Use Category	Use	Auto Parking Spaces		Bicycle Parking Spaces			Additional Requirements
		Unit Measure	Base Number Required	Unit Measure	Short Term Space	Long Term Space	
Commercial (cont.)	***						
	<u>Research and Development</u>	<u>Per 1,000 gross SF</u>	<u>1</u>	<u>Square feet of gross floor area</u>	<u>2 per 40,000 SF</u>	<u>2 per 10,000 SF</u>	

* * *



Mayor & Council

April 7, 2021

Dear Mayor & Councilmembers:

This letter is in support of the changes presented by staff as *Authorization to File Zoning Text Amendment to Modify the Requirements for Project Plans, Roadway Classifications in Mixed Use Zones and the Definition of Demolition* on the Mayor & Council meeting for April 12, 2021.

The Rockville Economic Development, Inc. (REDI) has prioritized the attraction and retention of businesses in bio health/bio tech, tech and cyber, professional services and headquarters that bring desirable jobs and economic growth to the City of Rockville. We have repeatedly commended the City for its FAST program that provides timely and responsive service to businesses who choose Rockville, as well as the positive customer service model for delivery of development and community services.

The proposed amendment continues this effort to streamline the development process and make it easier to do business in Rockville, while still retaining necessary protections. In particular, the changes allowing easier adaptive re-use of buildings with less onerous procedures will encourage businesses making quick decisions about location. Currently, there are several large headquarters looking at Rockville that have sensitive timing needs, and this will allow them to move forward with an existing building quickly so long as there is minimal impact as set forth in the proposed amendment (i.e. an expansion not generating more than 30 peak hour trips). It is important to note that the amendment does not alter the minimum notification to requirements to neighboring properties.

We appreciate the City's continued efforts to position us to be able to respond to the needs of business in a timely manner that allows us to take advantage of desirable market conditions, especially as we are rebuilding post-pandemic.

Very truly yours,


Cynthia Rivarde
CEO

Cc: Susan Prince, Board Chair

Jim Wasilak

From: Robert DiSpirito <rdispirito@rockvillemd.gov>
Sent: Thursday, September 16, 2021 12:15 PM
To: mayorcouncil
Cc: Ricky Barker; Jim Wasilak; Cindy Rivarde; David Levy
Subject: IMPORTANT: Zoning Text Amendment Related to Life Sciences Uses (TXT2021-00260) - Minimum Parking Requirement

IMPORTANT

Mayor and Council,

Please see below some additional information that applies to the Zoning Text Amendments (ZTA's) agenda item from last Monday night. You will recall that the Mayor and Council deferred action on that item (#14) in order to obtain more information pertaining to parking requirements (1.0 versus 1.5). The message below is from Mr. Peter Otteni, a senior vice president with Boston Properties Inc, which is has recently acquired the 30-acre property adjacent to Shady of Grove for the purposes of building a new life sciences campus in Rockville. Please let us know if your have any questions. Thanks.

Rob

Robert DiSpirito
 City Manager

From: Pete Otteni <potteni@bxp.com>
Sent: Thursday, September 16, 2021 9:51:52 AM
To: Ricky Barker <rbarker@rockvillemd.gov>
Cc: CJ Overly <coverly@bxp.com>; Jake Stroman <jstroman@bxp.com>; Richard Ellis <rellis@bxp.com>
Subject: Zoning Text Amendment Related to Life Sciences Uses (TXT2021-00260) - Minimum Parking Requirement

Ricky,

We write to you to provide some perspective on the minimum parking ratio for life science uses that has been discussed as part of the pending Zoning Text Amendment (TXT2021-00260). This critical topic is on the minds of all prospective tenants, particularly the life science companies we've spoken with, for whom parking is among the top three to five criteria on their minds. Parking can absolutely be a competitive advantage or disadvantage for a site, and we support the ZTA's current proposal of 1 space per 1,000 SF, which is in line with Montgomery County's current standards. This will certainly help position the City to attract new corporate headquarters, particularly for life science companies.

As it sits today, our site is over-parked, and this will become even more apparent as the new MCDOT bus service commences along Shady Grove Road in 2023. This is not only an issue of environmental sustainability, encouraging transit over automobiles, but an underutilization of valuable space. Whether through activated amenities or natural landscape, we see tremendous opportunity in converting excess parking to uses that make the site, and the City, more attractive and competitive for economic development opportunities.

Thank you for the City's support of this important initiative to bring life science companies to Rockville, and please feel free to reach out to us if you should have any questions or if we can be of further assistance.

Pete

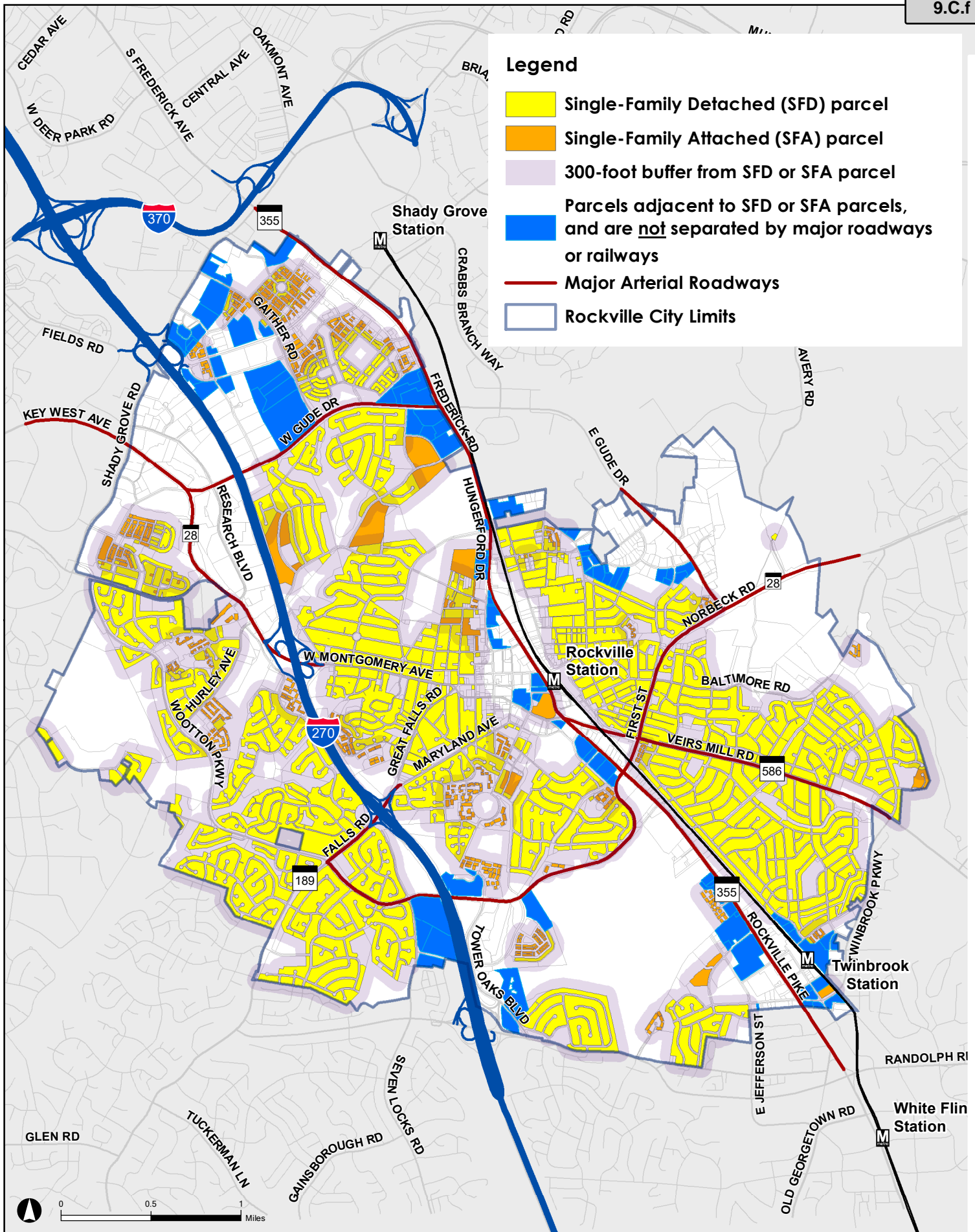
Pete Otteni

SVP, Co-Head of the Washington, DC Region
2200 Pennsylvania Avenue NW, Suite 200W
Washington, DC 20037
(202) 585-0837
potteni@bxp.com



Disclaimer

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June 21, 2021

Barbara A. Sears
 phummel@milesstockbridge.com
 (301) 517-4812

Phillip A. Hummel
 phummel@milesstockbridge.com
 (301) 517-4814

Mayor Bridget Donnell Newton
 and City Councilmembers
 City of Rockville
 Mayor and Council Chambers
 111 Maryland Avenue
 Rockville, MD 20850

Re: Zoning Text Amendment TXT2021-00260 – Testimony of Lantian Development

Dear Mayor Newton and City Councilmembers:

We are submitting this written testimony regarding Zoning Text Amendment TXT2021-00260 (the “ZTA”) on behalf of our client, Lantian Development (“Lantian”). Lantian is the owner of 2 and 4 Choke Cherry Road, 2092 – 2098 Gaither Road, and 15825 Shady Grove Road in the City of Rockville (the “City”). Lantian appreciates the diligent work of the Mayor and Council, the Planning Commission, and City staff on the ZTA to date. Lantian has closely reviewed the ZTA and offers the attached comments and proposed modifications for the Mayor and Council’s consideration. Lantian strongly supports the ZTA’s intent and believes these enclosed comments advance the City’s goals of improving the development review process, enhancing the ability to promote economic growth, and attracting businesses.

We request that this letter be made a part of the public hearing record and look forward to working with the Mayor and Council and City staff during review of the ZTA. Thank you for your consideration of our comments.



Mayor Bridget Donnell Newton
and City Councilmembers
June 21, 2021
Page 2

Very truly yours,

MILES & STOCKBRIDGE P.C.

Barbara A. Sears/kdm

Barbara A. Sears

Phillip A. Hummel/kdm

Phillip A. Hummel

cc: Bob Elliott, Lantian Development
Jim Wasilak, City of Rockville

Comments on Zoning Text Amendment TXT2021-00260

Abandonment of development approval (25.01.10) – New section

- Initially, it does not seem necessary to have a provision in the Zoning Ordinance to abandon a prior approval. This right inherently exists if the owner relinquishes the approval in writing to the City. Further, in justifying the need for a formal abandonment process, it is unclear what staff means by citing the situation where buildings that existed when the new development approval was given, were not “measured during the review of impacts of the new development.” Packet Pg. 18. If the buildings existed when the new development approval was given and the owner decides not to implement the new approval, but rather continue to use the existing buildings, we believe the owner has the right to re-tenant the existing buildings under the prior development approval(s). Under such circumstances, if no changes are made to the prior approval(s), there would be no future impacts that haven’t been accounted for.
- If new Section 25.01.10 is retained, then the letter withdrawing and abandoning the approval should only need to be signed by the owner of record of the subject property and the original applicant for the approval if that applicant still has a legal interest in the property. Requiring an affidavit from the owner(s) stating that all parties having a legal interest in the property subject to the approval consent to the abandonment places an unnecessary burden on the property owner(s). The City should not place itself in the position of being an arbiter of who or what entity may have a legal interest in the subject property and compelling the property owner to obtain consents. A letter requesting abandonment by the owner of record and original applicant (if that applicant still has a legal interest) is all that should be required.
- The second to last sentence reads: “An approval may only be abandoned if no uses exist that are subject to the approval and no building permits have been issued implementing the approval.” This language should be edited to clarify that no “new additional” uses existing that are subject to the development approval to be abandoned, as well as acknowledge that vesting rights in Maryland does not occur until construction actually begins:
 - An approval may only be abandoned if no new additional uses exist that are subject to the approval and no building permits have been issued implementing the approval construction has commenced under the approval.

Research and Development (25.03.02) – Words and Terms Defined.- New definitions

- Definition of “Demolition” – Maintain the definition as is and instead provide for a similar process used in Montgomery County whereby at least 30 days before DPS issues a permit to demolish or remove a building (other than a single-family dwelling) that will be more than 25 years old when it is demolished or removed, DPS must list the address of the property on a properly designated website or other widely available form of electronic notice. See Section 8-27(c) of the Montgomery County Code. Such a process in Rockville could also provide for a commercial property owner to consult with City historic staff prior to applying for a demolition permit, and if appropriate, obtain a report from a qualified professional analyzing potential historic or architectural significance.
- Definition of “Research and Development” – Montgomery County’s Zoning Ordinance also includes a separate “Life Sciences” use, which is defined as “the research, development, and manufacturing activities in one or more of the following scientific fields: biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, bioinformatics, medicine, immunology, embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals, pharmacogenomics, drug production, genetic testing, or gene therapy activities. Life Sciences also includes a Hospital and uses accessory to a Hospital, other than medical/dental clinic. For a business, institution, or government agency conducting such activities in a Life Sciences Center, Life Sciences also includes related activities and supporting services, such as administrative offices, educational facilities, libraries, data services, nanotechnology, informational technology, and robotics.” See Section 59.3.5.8.A of the Montgomery County Zoning Ordinance.
- If Rockville’s definition of research and development in Section 25.03.02 is intended to include “life sciences,” it should also incorporate all the uses included in Montgomery County’s definition of “Life Sciences,” with the possible exception of hospitals and uses accessory to a hospital. This is consistent with staff’s intent for the City to “signal that it is welcoming to this use and would make it clear to property and business owners alike that their uses are permitted in Rockville.” Packet Pg. 21.

Amendments to approved development (25.05.07) – Minor site plan amendment

- Existing Section 25.05.07.b.1(b)

- Section 25.05.07.b.1(b) of Rockville's Zoning Ordinance (to be changed to Section 25.05.07.b.2) is proposed to be changed so that an amendment that results in a reduction of floor area or other development intensity may be approved as a minor amendment.
- We would further recommend that this section should also allow minor increases of square footage to be approved under the minor amendment procedure. For example, the City of Gaithersburg's Zoning Ordinance only requires amendments to concept plans, sketch plans, or schematic development plans when nonresidential building floor area increases by more than 10% or 5,000 square feet, whichever is greater or when residential dwelling units increase by more than 10% or five units, whichever is greater. See Section 24-198(c)(1)(ii) of the Gaithersburg Zoning Ordinance.
- This is intended to allow minor amendments that do not meet the standards of the new minor amendments for commercial redevelopment section of 25.05.07.c in the ZTA.
- Existing Section 25.05.07.b.2
 - Section 25.05.07.b.2 of Rockville's Zoning Ordinance (to be changed to Section 25.05.07.b.3) currently provides:

32. A change in the types of uses on the site that is in conformance with the findings of the initial approval and does not increase the parking requirement may also be approved as a minor amendment.

- We would recommend this provision be amended to state that a change in use ***does not*** require a minor amendment. It would appear the change in use is appropriately handled through the existing procedures for the issuance of a new occupancy permit and should not require a minor amendment. See Section 25.07.11 of the Zoning Ordinance.
- New Section 25.05.07.c – Minor amendments for commercial redevelopment
 - Section 25.05.07.c.1 - This language only references “valid and approved site plans.” This language should be modified to include valid use permits and project plans as well.
 - Section 25.05.07.c.1(b) - We do not believe that Lantian's property is at least 300 feet from the nearest single-family attached residential use, as measured from the nearest property line. This would exclude Lantian's property from obtaining a minor amendment for commercial redevelopment, and contradict the express intent of the pending ZTA.

- We would recommend modifying this language to expand the eligibility for obtaining a minor amendment for commercial development. This should be achieved by eliminating the 300 foot restriction from this section. With the deletion of the 300 foot restriction, any development application that establishes compliance with the remaining criteria in the ZTA for a minor amendment for commercial development does not threaten the “integrity of [the] residential community” and should be able to be approved by the Chief of Zoning. Packet Pg. 19. Projects that do not comply with the remaining criteria will not be eligible for approval as a minor amendment and require Planning Commission or Mayor and Council review.
- In the alternative, we would recommend:
 - Grandfathering properties from the 300 foot restriction seeking to amend development approvals that were approved prior to the date of ZTA adoption. In such situations, the adjacency is already known and considered in the underlying approval.
 - Exclude application of the 300 foot restriction where the abutting property is zoned or is recommended in a master plan to be zoned with a mixed-use zone or a Planned Development zone. Given the intensity and uses permitted in mixed-use and Planned Development zones, a development application that otherwise meets the minor amendment for commercial redevelopment standards should be eligible for approval by the Chief of Zoning.
- Section 25.05.07.c.1(d) - The proposed language does not seem to track the use categories from the Zoning Ordinance, which are “commercial and office uses” and “industrial and service uses.”
- Section 25.05.07.c.1(e) – The language states the application “must not include any new buildings.” We would recommend that minor amendments for commercial redevelopment allow certain increases of square footage under a certain thresholds. As noted above, the City of Gaithersburg’s Zoning Ordinance only requires amendments to concept plans, sketch plans, or schematic development plans when nonresidential building floor area increases by more than 10% or 5,000 square feet, whichever is greater or when residential dwelling units increase by more than 10% or five units, whichever is greater. See Section 24-198(c)(1)(ii) of the Gaithersburg Zoning Ordinance.
- Section 25.05.07.c.2(a) – This language seems to allow a change to more than 20% of the project area “or otherwise change the essential character

and impact of the development.” This language is vague and should be deleted.

Application Procedure for Site Plans and Project Plans, Special Exceptions, and Other Permits (25.07.02.b.4) – New Section

- Although not a Lantian issue, this section would require that when any development application being is being considered **concurrently** with an annexation petition, the development application must be processed as a project plan, regardless of scale or impact. This is burdensome for smaller projects.
- This could be avoided in several ways. For example, a clear density or intensity threshold could be added to state when project plan review is required. Another option would be to use a “courtesy review” process that would allow the Mayor and Council to delegate approval authority to the Planning Commission if appropriate. This is similar to the process in the Gaithersburg Zoning Ordinance for certain amendments to concept plans, sketch plans, and schematic development plans. See Section 24-198(c)(2)(iii)(b) of the Gaithersburg Zoning Ordinance.

Alternate site plan approval (25.07.16) – New Section

- This new section would allow for approval of an “alternate site plan” for development “inconsistent with the approved project plan.” There is no guidance given on what would be considered “inconsistent.” This same issue arose where a contract purchaser believed a new headquarters building at the Lantian property was not inconsistent with a previously approved project plan and could move forward, but the City disagreed.
- This language should be clarified by stating an alternate site plan is not required to implement a multi-phased project plan when proposed development is consistent with the first project plan phase but not subsequent phases. In such situations, the first phase can commence without an alternate site plan as long as the project plan is amended before the next phase proceeds.
- Section 25.07.16.f – This new provision would prohibit the approval of any site plan implementing a project plan after an approved “alternative site plan” unless the project plan is amended to be consistent with the alternative site plan. If the Mayor and Council does not approve such an amendment to the project plan within 18 months of approval of the alternative site plan, the project plan is deemed abandoned. Given the lengthy project plan review times experienced in Rockville, a two year deadline with two six month extensions is more reasonable.

Site Design and Relationship to Surrounding Community (25.13.06.c)

- Lantian supports deleting this provision.

Number of Parking Spaces Required (25.16.03)

- Lantian supports a vehicle parking ratio of 1 space per 1,000 GFA for the research and development use.
- Regarding bicycle spaces, Montgomery County provides for a maximum of 100 spaces. The City should as well.



City of Rockville

MEMORANDUM

June 16, 2021

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application TXT2021-00260, To modify the requirements for Project Plans, roadway classifications in Mixed Use Zones, Minor and Major Site Plan Amendments, development approval abandonment, the definition of demolition, and the addition of Research and Development use and associated parking standard; Mayor and Council of Rockville, Applicants

At its meetings on May 12 and May 26, 2021, the Planning Commission reviewed and discussed Zoning Text Amendment (ZTA) Application TXT2021-00260, which would implement several elements of the FAST Program. The Planning Commission discussed each aspect of the text amendment individually and took straw votes for each one. After the discussion and deliberation, the Planning Commission voted to recommend approval of each of the aspects of the Text Amendment to the Mayor and Council.

SUMMARY OF PLANNING COMMISSION RECOMMENDATIONS

Project Plan and Site Plan Review during Review of Annexation Petition

This aspect of the amendment would require that a site plan submitted while an Annexation petition is pending would be processed as a Project Plan, to be approved by the Mayor and Council. The Commission had concerns regarding the change in Approving Authority, while recognizing the value of having the Mayor and Council approve both applications, as the proposed development could factor into the decision to annex. The Commission would retain authority for the Annexation Plan, to be adopted by Mayor and Council, as well as make recommendations on the Project Plan. The amendment would not result in less public process, but would actually require more process, given that a Project Plan would be followed by a

subsequent Site Plan review. The Commission also notes that a Site Plan submitted once an Annexation process is complete would be processed as it is currently.

Street Connections Required by Mixed Use Design Guidelines

Section 25.13.06, which contain design guidelines for development in the City's mixed-use zones, requires that development projects in the City's MXTD (Mixed-Use Transit District), MXCD (Mixed-Use Corridor District) and MXE (Mixed-use Employment) zones connect to an arterial, major or business district roadway, and not to residential streets. However, there are times when projects in these districts are less intense and would not demand this type of connection. The Commission concurred with staff's recommendation that the type of road classifications should be based on the City's Transportation Standards and not the Zoning Ordinance and that this guideline should be deleted because is already addressed through other City standards.

Abandonment of Approved Development Plan

The Commission discussed this provision at length, as it is not initially clear why an applicant would abandon an approved development plan. Staff explained the need for such a provision might occur as market forces or other conditions change such that the originally approved plan is no longer feasible or desirable from the applicant's perspective, and also avoids the inherent conflict when redevelopment of property is approved for land that contains existing approved development. An applicant could decide that the best course of action is to reuse existing structures per the existing site approvals and not implement the new approval immediately. In this case it is in the City's best interest that the approved entitlement that has not been implemented be allowed to be abandoned.

The Commission supports this amendment, as it addresses the possibility of having major headquarters locate in Rockville on property that already has a Project Plan approval. This would allow for new headquarters to occupy existing/modified office buildings and a substantially larger new office building. By allowing the owner to abandon the previous project plan, the new headquarters could move forward through a more expedited site plan process, thus improving Rockville's ability to land these new headquarters.

Reuse/Redevelopment for Non-residential Development Within Commercial Corridors

The Commission supports a more streamlined process to administratively amend site plans in specific areas within Rockville's main non-residential corridors, away from existing residential communities. These proposed amendments would allow for minor expansions to existing buildings and minor modifications to existing sites if they meet all Rockville development requirements. The Commission supports this clarification, while ensuring that minor reuse/redevelopment modifications that are approved by staff will be typically those older non-residential properties completely surrounded by other non-residential uses. Staff's recommendation that the 300 feet should not apply when the area for the site plan changes is separated from existing single family residential by an arterial or major highway roadway,

railroad/rail right-of-way, open space/buffer or when the additions to buildings are more than 300 feet away. The amendment will create a process that allows owners to make improvements to existing commercial structures without having to go through a lengthy major site plan amendment review process and produce a detailed site and/or project plan. The outcome will remain the same, achieving compliance with all provisions of City code. The Commission recommends this aspect, as it amounts to an incentive to commercial property owners in the listed zones to make their properties more attractive, marketable, and useable, while helping the City overcome setbacks caused by economic conditions with the advent of the coronavirus while upholding zoning and related requirements.

Minor Site Plan Amendments, Generally

As a corollary to the above, the Commission concurs with the proposed text amendment that certain types of common site improvements not require a site plan amendment. This would include improvements, such as emergency generators, transformers and dumpsters also be able to be installed without site plan approval, while site review would still occur at the permit level to ensure that all such installations meet code requirements.

The Commission appreciated that staff undertook a review of similar and adjacent jurisdictions, including the cities of Frederick and Gaithersburg, as well as Montgomery County, to compare requirements for minor site plan amendments in those jurisdictions. While each has a unique process, staff found that the recommendations would provide more flexibility and a timelier process in Rockville in comparison.

Approval of Alternate Site Plans

The text amendment proposes that there is a the need for approval of alternate site plans, or site plans that deviate from an approved Project Plan. Currently, only site plans that are in conformance with an approved project plan may be approved within a project plan area. However, there may be circumstances when the developer wants to move forward with a different type of development in the near term, due to circumstances beyond anyone's control, such as an economic opportunity that presents itself with a short timeline. This would allow either entirely new site plans or site plan amendments to be approved that deviate from the project plan and allow for subsequent amendments to the approved Project Plan to bring it into compliance with the site plan previously approved. The Commission supports this aspect, provided that the Project Plan itself would have to be amended within 18 months of the date of the alternate site plan. This would allow the remainder of the project plan to be adjusted so that compliance with all City requirements could be reviewed and evaluated comprehensively, while also allowing for flexibility in the near term.

Addition of Research and Development Use and Parking Requirement

The City's Zoning Ordinance does not include research and development use as a permitted use in the code. According to staff, these types of uses have been identified by their component uses, which may include office, lab or manufacturing uses in combination. The amendment

proposes that this use be added to the ordinance as permitted in the MXTD (Mixed-Use Transit District), MXCD (Mixed-Use Corridor District), MXE (Mixed-Use Employment) and I-L (Light Industrial) uses. Due to the City's proximity to the Shady Grove Life Sciences Center, the City would show that it is welcoming to this use and provide clarity to property and business owners alike that their uses are permitted in Rockville. The Commission supports the staff recommendation that the use be added to the code, in the same form as in Montgomery County's ordinance.

Based on staff's recommendation, the Commission supports adding this use to the "Office" category in the use charts in the Zoning Ordinance, which already includes like uses such as research lab.

With the introduction of a new use to the code, a corresponding parking requirement is in order. The text amendment proposes that this also match that of Montgomery County at 1.5 parking spaces per 1,000 square feet of gross floor area. This requirement represents a significant reduction from general office but is in line with current requirements for manufacturing and lab space, at 2 parking spaces per 1,000 square feet.

At the Commission's request, staff researched the County's Zoning Ordinance rewrite process, which resulted in a new code becoming effective in October 2014. One of the requirements of the code rewrite was to ensure that the appropriate amount of parking is provided for developments in the County. This includes different parking standards for certain areas of the County, including designated parking districts and reduced parking areas, as well as standards for commercial uses based on the zoning district of the property. As part of that process, the County also implemented parking standards for both office and life sciences/research and development uses. The requirement of 1.5 spaces per 1,000 square feet of R&D space applies across different parking categories and may be reduced to 1.0 space per 1,000 square feet in designated parking districts and reduced parking areas. In developing these standards, the County relied on a consultant team, comparisons with ITE (Institute for Transportation Engineering) standards and public input. Staff found that the parking requirements in the 2014 County Zoning Ordinance were sufficiently researched, vetted, and considered throughout the process and the Commission was satisfied with this result.

Modifications to the Definition of Demolition

During previous discussions with the Mayor and Council, it was identified that the City's definition of demolition needed to be updated. The current definition for demolition is the complete razing of a building or structure. However, this does not address situations where a portion of the structure is retained, however small. In Rockville, this can be significant in that the code requires an Evaluation for Historic Significance when demolition, as currently defined, is proposed. The text amendment recommends that the definition be modified to read that if more than 50 percent of floor area of a building is removed, it is considered demolition, and the requirements for an evaluation would be triggered, as follows:

Demolition means the complete razing or removal of more than 50 percent of the floor area of a building or structure, or substantial reconstruction that removes more than 50 percent of the building floor area, as defined in Chapter 5.

Commissioners asked how this recommendation compares with other peer jurisdictions. Staff responded that most jurisdictions follow the International Building Code (IBC) to define demolition and do not define it in the zoning code. However, some jurisdictions have their own definitions of demolition, including:

Montgomery County: demolish means to tear down or destroy an entire building or structure, or all of a building or structure except a single wall or facade.

City of Frederick: Frederick City ties historic evaluation to demolition, and establishes criteria in its code for what triggers historic review: demolition of an entire structure; removal of a roof for the purposes of raising the overall height of the roof, rebuilding the roof to a different pitch, or adding another story to a structure; removal of one or more exterior walls or partitions of a structure; removal of more than 25 percent of a structure's overall gross square footage; or relocation or moving of a structure from its existing location.

The Commission recommended that the proposed change to the definition be considered by the Historic District Commission (HDC).

After reviewing all aspects of the text amendment, the Commission also reviewed the proposed text. Chair Pitman raised a concern regarding the language for amendments to approved development being too subjective. After discussion, the Commissioners agreed that the retention of the language referencing, "a comprehensive change to more than twenty (20) percent of the project area," would be suitable.

Therefore, on a motion by Commissioner Littlefield, seconded by Commissioner Nunez, the Commission voted unanimously to recommend approval of Text Amendment TXT2021-00260, with the comments and recommendations noted.



Mayor & Council Meeting Date: October 18, 2021
 Agenda Item Type: Public Hearing
 Department: PDS - Development Review
 Responsible Staff: Sachin Kalbag

Subject

Public Hearing: Project Plan Application PJT2021-00013, for the Construction of Approximately 252 Townhomes and 118 Two-Over-Two Multi-Family Units in the MXCD (Mixed-Use Corridor District) Zone at 16200 Frederick Road (King Buick) and Parcel P170, EYA Development, LLC, Applicant

Recommendation

Staff recommends Mayor and Council hold the public hearing and receive input on Project Plan PJT2021-00013, to construct 252 townhomes and 118 two-over-two multi-family units at 16200 Frederick Road.



Overview

Case: PJT2021-00013

Location: 16160/16200 Frederick Road

Staff: Sachin Kalbag, AICP, Principal Planner
 Planning and Development Services
 skalbag@rockvillemd.gov

Applicant: EYA Development, LLC

8800 Hampden Lane, Suite 300
Bethesda, MD 20814

Filing Date: May 3, 2021

Discussion

Site Description

The Property comprises two main components: 16160/16200 Frederick Road (the "Frederick Road Lots") and Parcel P170 (the "City Parcel"). The Frederick Road Lots contain approximately 11.96 acres and are more particularly known as Parcels A and C, King's Addition to Shady Grove, as depicted on Plats No. 7936 and 10684 recorded among the Land Records of Montgomery County on August 23, 1965 and September 4, 1973, respectively. The Frederick Road Lots are improved with the King Buick/GMC/Mitsubishi automobile dealership and service facility, along with associated surface parking lots. The Frederick Road Lots portion of the Property is currently located in unincorporated Montgomery County and classified in the GR (General Retail)-1.5 H-45 zone. Victor, Inc., which is the current owner of the Frederick Road Lots, has submitted a petition to annex the property into the city together with the abutting Frederick Road right-of-way. The Mayor and Council recently introduced a resolution to enlarge the city's corporate boundaries and had a public hearing on the requested annexation on May 17, 2021. On September 13, 2021, Mayor and Council authorized the City Manager to approve an annexation agreement that contains terms for development of the property, as well as commitments from both EYA and the City. On October 4, 2021, the Mayor and Council approved the annexation and associated zoning of the property.

The other component of the Property is the parcel located in the city, which is an unrecorded and unimproved parcel containing approximately 10.34 acres of land. The City Parcel is currently located within the corporate boundaries of the City of Rockville and is classified in the MXCD (Mixed-Use Corridor District) zone. The combined area of the Frederick Road lots and the City Parcel is approximately 20.35 acres. The applicant has entered into a contract to purchase and redevelop the Property with the Project.

To the Property's south is the King Farm neighborhood, which is a mixed-use community containing single-family and multi-family homes, parks (including the Mattie J.T. Stepanek Park and the King Farm dog park), retail businesses at the King Farm Village Center, and employment uses. The King Farm Farmstead abuts the Property to the southeast. The Property fronts Frederick Road (Maryland Route 355), which provides convenient access to the regional road network, including Interstate 370, Maryland Route 200 (the Intercounty Connector), Shady Grove Road, and Interstate 270. Additionally, the Property is located within walking distance of the Shady Grove Metrorail station, which provides Metro service to Glenmont via the District of Columbia and offers access to numerous Metrobus, Ride On, and Maryland MTA bus routes. The Maryland Route 355 corridor in the vicinity of the Property contains a diverse mix of uses,

including professional offices, retail businesses, hotels, industrial space, multi-family buildings, and community facilities.

Project Description

The Project is envisioned as a walkable and transit-oriented residential neighborhood with a range of unit types, a street grid with public streets and private alleys, desirable community amenities, welcoming open spaces, and attractive landscaping. The Project proposes 370 total dwelling units comprised of 252 townhouses with front and rear-loaded garages, and a variety of widths (expected to be 14 feet wide through 24 feet wide), and 118 two-over-two multi-family units. The Project locates the two-over-two condominium units along the Property's Frederick Road frontage, with the townhouses sited at the Property's sides, rear, and interior. The two-over-two condominium units and townhouses in the Property's interior will be accessed by rear-loaded alleys, while the townhouses located on the Property's perimeter will be served by front-loaded driveways and rear yards that provide an additional buffer to adjacent properties. All dwelling units will provide one required parking space on each respective lot. The maximum building height for the Project's residential buildings is proposed to be 55 feet along the Frederick Road frontage.

The architecture of the townhomes employs a variety of exterior materials and finishes that add pedestrian scale to the façade and street frontage. For both townhomes and two-over-two multi-family units, the base of the building utilizes brick veneer with concrete stoops and metal canopies at the entries. Horizontal siding is used for the exterior walls (with vertical siding accents at the two-over-two's). Each of the dormers are capped with a built-up cornice. The brick veneer has subtle variation in color, with terra-cotta, beige and warm gray used to differentiate different townhomes. An 8-inch masonry soldier course bond is built above the first floor to add scale and a crisp shadow line.

The Project also includes a system of public use spaces and open areas which are distributed throughout the Property. Specifically, the Project proposes areas around the community amenity space with a pool as public open space, which will be programmed for passive and active recreation, as well as in multiple pocket parks with open lawn areas and seating that encourage gathering, recreation, and social interaction. The Property's Frederick Road frontage is also provided as public use space, which will create a welcoming and inviting presence for pedestrians, cyclists, and motorists. Portions of the Project's open areas will be enhanced with numerous landscaping, including shade trees, ornamental trees, evergreen trees, shrubs, as well as lawn areas.

The Project's proposed public use space includes an approximately 75-foot-wide easement area on the Property's northwestern edge, between the Project and the existing businesses towards Shady Grove Road, which the Applicant has coordinated with WSSC to program a proposed natural trail in a meadow setting with plantings, as well as lawn areas for active and passive recreation. The Project will also include a new pedestrian connection from the Property to the adjacent Mattie J.T. Stepanek Park.

The Project will be accessed along Frederick Road with a new public street (identified as Public Street A), as well as a new connection to Pleasant Drive (identified as Public Street F). The Project's other interior public streets (Public Streets B, C, D, E) will effectively distribute traffic from these access points to the Project's residential units and amenities, while discouraging cut-through traffic to King Farm by eliminating a direct connection from Frederick Road to Pleasant Drive. The public streets will also include five and six-foot-wide sidewalks and planting strips with street trees to encourage pedestrian activity. Along Public Street 'F', there is a children's play area, as well as pedestrian connections to Frederick Road and the Farmstead. On-street spaces will be included in the public streets to accommodate parking for visitors and users of the community amenity. Private alleys will serve the rear-loaded residential units.

Per Sec. 25.07.02 of the Zoning Ordinance, based on tract size, number of expected dwelling units, residential area impact, and anticipated traffic impact, the Project will require approval of a Project Plan by the Mayor and Council with subsequent Level 2 Site Plan(s) approved by the Planning Commission.

Once an annexation occurs, the owners or developers of the annexed property are eligible to receive approval of regulatory plans to develop the property. The Applicant elected to submit its Pre-Application Meeting (PAM) application and initiate this project plan application while the proposed annexation is pending. The applicant filed the PAM application on December 11, 2020 and met with the Development Review Committee (DRC) on January 21, 2021. The project plan application was filed on May 4, 2021, and the DRC was held on June 17, 2021.

The application has been filed and processed as a Project Plan, which requires a recommendation from the Planning Commission, followed by a public hearing at Mayor and Council. Upon hearing all evidence, the Mayor and Council will render a final decision on the proposed project plan via adoption of a resolution, incorporating the findings as required by Section 25.07.01.b.2 of the Zoning Ordinance. If the application is approved, the Mayor and Council will establish a time period in which construction of the approved project plan must commence. After approval of the Project Plan, the Planning Commission will consider a site plan, or multiple site plans if the project is phased, implementing the Project Plan. The applicant filed the site plan application for the entire site on August 16, 2021.

Project Analysis

Master Plan Compliance

The Project is consistent with the 2040 Comprehensive Plan ("2040 Plan"), which was adopted by the Mayor and Council on August 2, 2021. The project is consistent with Comprehensive Plan Land Use Policy designation of OCRM (Office, Commercial and Residential Mix) for both the lot within the City boundary and that proposed for annexation. The project is also consistent with Action 5.3 ("Encourage architectural variety for townhouse and row house developments, and individual outdoor space that allows for individual expression and landscape variety.") and

Action 6.1 ("Coordinate provision of neighborhood amenities as part of the approval process for conversions of commercial uses to residential uses. Allow for publicly and/or privately built and maintained parks, recreation amenities, and open space to serve this need, as appropriate.") of the Land Use Element, as well as Item 1 of Other Policy Recommendations in Planning Area 16 ("Support the annexation agreement and proposed residential development for the former King Buick properties on MD 355. New residential development in this area would be support to the King Farm Village Center.")

The project advances many of the goals of the 2040 Plan which features providing new housing that includes townhomes, two-over-two's, and 58 MPDUs to meet the wide range of community needs, especially "missing middle" and affordable units, in walkable nodes near transit. New residents can support nearby existing retail uses, such as the King Farm Village Center. Annexing the Frederick Road lots to accommodate the Project will also serve the City's interests, encourage reinvestment near the Shady Grove Metrorail station, and be accommodated by existing public services. Similarly, the Project is harmonious with the 2040 Plan's Planning Area 16 objectives for the King Farm and Shady Grove neighborhood by enhancing the Frederick Road streetscape with buffered sidewalk and cycle track, ensuring the incorporation of park space to meet the needs of new residents, and providing public amenities, open space and pedestrian pathways, including connections to Frederick Road, Mattie J. T. Stepanek Park, and King Farm Farmstead from the Project.

This project fully complies with the provisions of the approved 2017 Bikeways Master Plan and incorporates provisions for the MD 355 Montgomery County Bus-Rapid Transit (BRT) Project, currently in the planning stage.

Zoning Ordinance Compliance

The site is zoned Mixed Use Corridor District ("MXCD"). Staff has reviewed the proposed development for compliance with the Zoning Ordinance and finds it to be consistent with those requirements. All development standards and open area and public use space requirements have been met. In addition, the applicant has complied with the landscaping and parking requirements of the ordinance.

MXCD (Mixed-Use Corridor District) Development Standards (Sec 15.13.05)								
	Maximum Height	Building Setbacks					Min. Public Use Space	Min. Open Area
		Front	Side		Rear			
			Residential Land Abutting	Non-Residential Land	Residential Land Abutting	Non-Residential Land		

				Abutting		Abutting		
Allowed Required	/75 Feet	Not Required	25' or height of building, whichever is greater	None required. 10' min. if provided	25' or height of building, whichever is greater	None required. 10' min. if provided	10%	15%
Proposed	45-55 Feet	0	N/A	0	N/A	0	13.8%	42.4%

Parking (Sec 25.16.03)		
Land Use	Minimum Required	Proposed
Townhome, 188, rear load (2 per unit)	376	376
Townhome, 64, front load (2 per unit)	128	128
Stacked Condominium (1.5 per unit)	177	177
Community Center	10	10
Visitor Parking on front load driveways	0	128
Visitor Parking on condo driveways	0	59
On-Street Visitor Parking	0	95
Total	691	973
Accessible Parking		
On-Street Visitor (per PWOMAG Sec R214)	5	5
Community Center (on-street)	1	1

Bicycle Parking (Sec.25.16.03)		
	Required	Provided
Townhome/Stacked Condominium	0	0
Community Center		
Short Term Space (2/10,000 SF)	2	2

Parking for the Proposed Community Center

Based on the parking requirements in the Zoning Ordinance, ten (10) off-street parking spaces are required for the proposed community center. Instead of providing parking on-site, the applicant is proposing to provide on-street spaces to meet the requirement, including an ADA accessible space. In the MXCD zone, the Mayor and Council, in the approval of a project plan, have the authority to reduce the required number of parking spaces for uses in the building or buildings to be constructed, provided that the criteria are met. This section provides Mayor and Council discretion in allowing reductions, including “for good cause shown.” Staff has reviewed and found that all other parking requirements are met, and visitor parking on the project overall is provided at a rate of .76 spaces per unit, exceeding the recommended ration of .50, including 95 on-street spaces. Since there are more than adequate spaces on the street, staff finds that reducing the parking on the community center site to zero and providing ten (10) on-street spaces nearby, the area for the community center is maximized, while the parking needs are met, and is in support of this proposal as stated in the annexation agreement.

Open Area and Public Use Spaces

The Project exceeds the requirements for open area and public use space. Specifically, the Project provides 42.4% of net lot area as Open Area (376,076 SF) and 13.8% of net lot area as Public Use Space (122,635 SF). Section 25.13.05(b) (I) of the Zoning Ordinance requires 15%

Open Area and 10% Public Use Space in the zone. Public Use Space connects Frederick Road along A Street as a pedestrian pathway to the main open space at the Community Center and extends to south of D Street. The Community Center includes a pool, and park elements with residential amenities and hardscaped features. Other public use spaces are located at F Street that includes children's play areas with pedestrian pathway connections to Frederick Road and potentially to the Farmstead and proposed parking lot. A 75-foot-wide easement area designed as a Public Use Space is located at the northwestern edge of the Project, and includes a natural trail in a meadow setting with plantings and lawn areas.

Building Height

The Project fits within the heights and densities allowed in the MXCD Zone. The townhouses will be approximately three floors with an optional loft as the 4th floor at 45-feet in height, and the two-over-two townhome condominiums are 4 floors and 55-feet in height. The Project is building less than the maximum height allowed per the Development Standards of the Zoning Ordinance, since 75 feet is the maximum height for this zone.

Infrastructure/ Adequate Public Facilities Standards (APFS)

Water and Sewer

The proposed development is located within the Washington Suburban Sanitary Commission's (WSSC) service area for water and sanitary sewer. The applicant will construct a network of water and sanitary sewer infrastructure to serve the development that complies with all WSSC requirements. The applicant has received Hydraulic Planning Analysis (HPA) approval from WSSC in a Letter of Findings dated August 11, 2021, which details the sewer and water service required to serve the proposed development. Approval of the HPA is required prior to Project Plan approval by the Mayor and Council.

Schools

According to the Montgomery County Student Generation Rates for Housing Types in Turnover Areas (effective January 1, 2021), the Project is projected to generate approximately 61 new elementary students, approximately 30 new middle school students, and approximately 33 new high school students, or approximately 124 new students for grades K-12. Students generated by the Project would attend Gaithersburg High School, Forest Oak Middle School, and Rosemont Elementary School. According to the adopted FY22 Education Facilities Master Plan and Amendments to the FY 2021-2026 Capital Improvements Program, Forest Oak Middle School, and Rosemont Elementary School are projected to have adequate school capacity based on School Projections for September 2026 to accommodate students generated. Projections indicate enrollment at Gaithersburg High School will exceed capacity by 200 seats or more by the end of the six-year planning period. Expenditures are programmed in the six-year period to open a new high school on the Crown Farm site to address over-utilization in the mid-county region.

Stormwater Management

Stormwater Management (SWM) for this project will be provided in compliance with the Pre-Application SWM Concept Approval Letter dated June 17, 2021 and the Annexation SWM Concept Approval Letter dated August 31, 2021. The Pre-Application SWM Concept Approval Letter lists project specific conditions of approval. The Project intends to meet the redevelopment requirements of on-site stormwater management for both Environmental Site Design (ESD) and Channel Protection Volume (CPV) through a variety of measures. ESD facilities are proposed to include permeable pavement in alleyways, roadside micro-bioretenion structures, and larger planter box micro-bioretenion structures. CPV measures are expected to include underground vaults for storage and filtration systems. A monetary contribution is being provided by the applicant in lieu of providing on-site quantity management and the remaining onsite water quality management.

Historic Resources

The site to be developed has been determined to have no historical significance through the NRI/FSD (Natural Resource Inventory/Forest Stand Delineation) review process.

Traffic and Transportation Review

The application prepared a transportation report for review in accordance with the City's Comprehensive Transportation Review (CTR) guidelines, and per the scoping agreement. As of preparation of the staff report, not all review agencies have provided final review comments of the revised transportation report. Upon staff's review, the project will not have a detrimental impact to the studied intersections that were scoped, provided that specific improvements are implemented which are detailed in the approval conditions.

Access

The current site is served by a total of four driveway aprons on MD 355 (Frederick Road), two of which are not currently active. This application proposes to remove three of the existing driveway access points, consolidating all into one improved full-access intersection with MD 355 as a primary site access for the project. The secondary access point to the development is proposed on the southwest corner of the site providing an intersection with the existing Mattie Stepanek Park Road that will become Pleasant Road extended. The provision of the secondary access provides the required redundancy for fire and emergency access. The Project's internal public streets are designed in such a way that they will effectively distribute traffic from Frederick Road to the Project's residential units and amenities, but discourage a direct connection from Frederick Road to Pleasant Drive. The public streets include buffered sidewalks with street trees, in accordance with City standards, encouraging pedestrian activity. On-street parking spaces will be included in the public streets to accommodate parking for visitors and users of the community amenity. Private alleys will serve the rear-loaded residential units.

Traffic

Summary of Findings

The table below summarizes the findings for the existing conditions, background conditions and future conditions for the study intersections, as prepared for the Comprehensive Transportation Review (CTR) and reviewed by staff.

Intersection	Traffic Control	Intersection Capacity		v/c Threshold	LOS Threshold	MOE	2020 Existing Conditions		2024 Background Conditions		2024 Total Future Conditions	
		AM	PM				AM	PM	AM	PM	AM	PM
Frederick Road & Shady Grove Rd	Signalized	1550	1550	0.99	E	CLV v/c LOS	1481 0.96 E	1279 0.83 D	1582 1.02 F	1494 0.96 E	1563 1.01 F	1491 0.96 E
Frederick Road & Full-Access Site Driveway	Unsignalized	1600	1600	0.99	E	CLV v/c LOS	1092 0.68 B	999 0.62 B	1174 0.73 C	1100 0.69 B	1197 0.75 C	1066 0.67 B
Frederick Road & RIRO Site Driveway	Unsignalized	1600	1600	0.99	E	CLV v/c LOS	1099 0.69 B	706 0.44 A	1140 0.71 C	756 0.47 A	N/A N/A N/A	N/A N/A N/A
Frederick Road & Ridgmont Avenue	Signalized	1650	1650	0.99	E	CLV v/c LOS	1146 0.69 B	984 0.60 A	1185 0.72 C	1039 0.63 B	1195 0.72 C	1042 0.63 B
Piccard Drive & Pleasant Drive	Unsignalized	1600	1600	0.89	D	CLV v/c LOS	77 0.05 A	155 0.10 A	77 0.05 A	155 0.10 A	90 0.06 A	166 0.10 A
Park Road & Rear Site Driveway	Unsignalized	1600	1600	0.79	C	CLV v/c LOS	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	25 0.02 A	67 0.04 A

The intersection capacity analysis under existing traffic conditions indicates all intersections operate within acceptable capacity thresholds, as required by the CTR, during both the AM and PM peak hours, with the exception the intersection of Frederick Road and Shady Grove Road, which operates near the required threshold during the AM peak hour.

With the background condition, all study intersections, with the exception of Frederick Road and Shady Grove Road, will continue to operate within acceptable capacity thresholds during both the AM and PM peak hours. The increase in peak hour volume due to growth and background developments is projected to result in the Frederick Road and Shady Grove Road intersection operating slightly above the acceptable threshold in the AM peak hour.

Under total future traffic conditions, all intersections, except the intersection of Frederick Road and Shady Grove Road, operate under the acceptable threshold for AM and PM peak hour. The intersection of Frederick Road and Shady Grove Road will continue to operate slightly above the acceptable threshold in the AM peak hour. This intersection requires no additional mitigation since the CTR requires mitigation, only when the projected volume-to-capacity ratio for total traffic is more than 0.01 (a full one percent) than the projected volume-to-capacity ratio for background traffic. For all conditions, it was assumed that the primary access point, the intersection with Frederick Road, would be improved with a traffic signal.

Bicycle/Pedestrian Access

The site is surrounded by a pedestrian network providing access to points of interest. Proposed enhancements from the development provide access to Mattie Stepanek Park, the King Farm

Farmstead, and the existing King Farm neighborhood. Enhanced pedestrian improvements, in line with Vision Zero recommendations, are proposed at the intersections of Street F and Pleasant Drive extended, and Piccard Drive and Pleasant Drive. The applicant proposes buffered sidewalks on both sides of the public roads throughout the site, in accordance with the City's standard residential road section. The Frederick Road frontage will include a 10-foot-wide buffered cycle track, as recommended by the City's 2017 Bikeway Master Plan, along with a new buffered 6-foot-wide sidewalk. Pending approval from WSSC, a recreational trail will extend from the Frederick Road sidewalk to the western limit of the property, with connections to the proposed neighborhood roadways.

Transit

The site is approximately 0.7 miles from the Shady Grove Metro Station, and existing sidewalks provide a walking route to the station. The nearest bus stop is located approximately 0.1 miles south of the proposed main driveway on Frederick Road. Bus service to this location is provided by Montgomery County Ride-On routes 43, 59, 55, and 67, which run along MD 355.

Environment

Environmental Guidelines

No rare, threatened, or endangered plant or animal species were observed onsite or are recorded among the Maryland Department of Natural Resources records. There are highly erodible soils found within the site.

Forest and Tree Preservation Ordinance (FTPO)

In accordance with the FTPO, the 20.35-acre site is required to comply with all three of the following ordinance requirements: forest conservation, minimum tree cover, and significant tree replacement. The Preliminary Forest Conservation Plan (PFCP) was approved on August 26, 2021, pending Planning Commission approval of the site plan (in addition to approval conditions referenced later in this document). The project proposes to meet all the FTPO requirements, and the attached approval letter that outlines the specifics of the FTPO requirements.

Forest Conservation

The site is required to meet a minimum of 3.09 acres of forest conservation. The developer is proposing to meet this requirement on-site through the retention of existing forest, in addition to the planting of trees for individual tree credit. The applicant is proposing to meet the forest conservation requirement on-site with no requested fee-in-lieu.

Significant Trees

Sixteen (16) significant trees are proposed for removal. The replacement requirement is thirty (30) trees. The Preliminary FCP provides for all the replacement trees to be planted on site including one (1) offsite tree to be replaced offsite.

The applicant is proposing to remove two (2) specimen trees from the site. A specimen tree is defined by the FTPO as a tree that is equal to or greater than thirty inches (30") in diameter at breast height or seventy-five percent (75%) of the diameter of the state champion tree of that species. The applicant has provided justification for the removal of the specimen trees consistent with requirements established in FTPO Chapter 10.5-21(e), which has been approved by the forestry reviewer.

Minimum Tree Cover

The minimum tree cover requirement is 10% of the tract area or 2.05 acres of tree cover. This requirement will be exceeded through new tree plantings on the site to meet forest conservation and significant tree replacement requirements.

Street Trees (Zoning Ordinance Section 25.21.21)

In accordance with the Zoning Ordinance (Section 25.21.21), the developer is required to provide street trees at a maximum spacing of forty feet (40') on center within the public right-of-way (or adjacent if necessary). The developer is requesting a waiver to Section 25.21.21 for street tree requirements as it relates to both spacing and quantity of street trees. Staff has reviewed the waiver request and recommends it for approval by the Planning Commission at the time of Site Plan review. The developer is proposing to remove zero (0) existing street trees for development purposes.

Trees per Residential Lot (Zoning Ordinance Section 25.21.21)

The developer is required to provide a minimum of three (3) trees per residential lot consistent with the Zoning Ordinance. The current ordinance does not call out a specific trees-per-lot requirement for townhome lots; however, staff has proposed an ordinance amendment to define this. Due to the limited lot size for townhomes, there are not adequate areas to plant three trees per lot and meet the required tree area. The proposed development requires seven hundred and seventy-four (774) lot trees to meet this requirement. The developer will request a waiver from this requirement from the Planning Commission. The applicant is proposing that the aggregate tree total planted on the site to meet afforestation and significant tree replacement be allowed to count towards the minimum lot tree requirement, although the trees are provided off the lots. The developer is currently proposing to provide a total of six hundred and eighty-four (684) trees on the site, off the lots. One hundred and eleven (111) of these trees are provided in addition to other forestry requirements on the site. Staff has worked with the developer to maximize plantings under the current site design, supports the applicant's waiver request, and has committed in the annexation agreement to recommend approval of the waiver to the Planning Commission. The Planning Commission has previously approved similar waivers on other townhouse projects. (See the attached letter from the applicant detailing their proposed waiver request).

Landscaping

The development of the site is subject to the current requirements of the City of Rockville Landscape, Screening and Lighting Manual. The approved PFCP/landscape plan is compliant with applicable landscaping standards established in the manual.

Annexation Agreement Compliance

The annexation agreement establishes a concept plan for the development. In addition, EYA and the City both make a number of commitments in the agreement as summarized below.

As part of the annexation agreement, a parking lot with 47 spaces is proposed to be designed and constructed by EYA at the Mayor and Council's preferred location between EYA's development and the three smaller Farmstead buildings. In addition to the location and number of spaces, the agreement outlines the process for design, permitting, and construction. The applicant is responsible for design and construction while the City is responsible for development approvals and permitting. A separate site plan application for the Farmstead site is required and will occur along with the site plan for the residential portion of the Project.

Because the farmstead is designated as historic, the proposed parking lot is subject to Historic District Commission review. The Historic District Commission (HDC) held a courtesy review at their August 1 meeting and provided feedback about the location of the parking lot including landscaping, screening, and the proposed material. Staff will work with the applicant to ensure that this is done for the HDC's consideration.

In addition, the agreement also:

- Establishes that City staff supports:
 - the open space and public use space proposed by EYA;
 - the waiver to the requirement for three trees per lot;
 - flexible parking standards for the community center;
- Commits the City to grant road code waivers;
- Commits the City to re-dedicating a portion of Pleasant Drive for use as a public right-of-way and allows for the development to connect to this portion of Pleasant Drive;
- Identifies other transportation improvements and right-of-way dedication:
 - MD 355 frontage improvements:
 - A 10-foot-wide cycle track and a buffered 6-foot-wide sidewalk along the entire frontage;
 - Full accommodation for the MD355 Bus Rapid Transit (BRT);
 - Full signalization of the main site access on MD355, with interconnections to other signals along MD355.
 - Pedestrian connections to Mattie Stepanek Park and the Farmstead;
 - Recreation pathway through the area encumbered by the WSSC easement;

- Provision of a secondary vehicular, pedestrian, and bicycle access to the Stepanek Park roadway and Pleasant Drive, with pedestrian enhancements, including curb bump outs and crosswalks;
- Pedestrian-related improvements at the intersection of Piccard Drive and Pleasant Drive, as well as at the intersection of Pleasant and Piccard drives.
- Provides easements and construction access for the King Farm Farmstead;
- Establishes that undergrounding of existing utilities along Frederick Road is not required except for the electrical connection to King Farm Farmstead;
- Outlines requirements for historic review;
- Establishes terms for compliance with the design guidelines in the Zoning Ordinance.

The proposed development is consistent with the concept plan and these terms of the agreement as detailed throughout this report.

Moderately Priced Dwelling Units (MPDU)

The City Code requires a minimum of 15% MPDU set-aside, which would amount to 56 MPDUs. However, the Mayor and Council instructed staff to work with EYA to try to secure additional MPDUs beyond the code requirement, with the final count to be reflected in the annexation agreement. The annexation agreement commits EYA to providing these two additional MPDUs beyond the 15% requirement, distributed between townhomes and two-over-two units at the following affordability levels:

King Buick Proposed MPDU Distribution				
	AMI Level			
	50%	60%	80%	TOTAL
15% Requirement-56	16	20	20	56
Additional Units-2	0	0	2	2
TOTAL	16	20	22	58

Findings

In accordance with Section 25.07.01.b.2. of the Zoning Ordinance, a project plan may be approved only if the applicable approving authority finds that this application will not:

- a. *Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project;*

The Project includes a mix of residential uses that will enhance the community with a variety of housing options, including needed townhome and two-over-two stacked condominium housing and a MPDU unit mix that will include 39 townhouses, 16 condominiums in two-over-two

townhomes. The Project is designed as a walkable community to reduce the impact on traffic. The project complies with all applicable ordinances that ensure health and safety are met as described in this report.

b. Be in conflict with the Plan;

The Project advances many of the goals of the 2040 Plan by replacing an underutilized auto dealership, surface parking lot and undeveloped land with a vibrant residential community, including townhomes, two-over-twos and 58 MDPU's to meet the wide range of community needs, especially "missing middle" and affordable units, in walkable nodes near the Shady Grove Metro Station. The Project is supported by public use space, open space and pedestrian pathways that connect to and support the Farmstead, Frederick Road and Mattie J. T. Stepanek Park. New residents will also support nearby existing retail uses, such as the King Farm Village Center. Applicant will incorporate high-quality design in all aspects of the Project, including public open spaces and landscaping and thoughtful architecture. The project complies with all applicable ordinances that ensure the public welfare as described in this report.

c. Overburden existing and programmed public facilities as set forth in article 20 of this chapter and as provided in the adopted adequate public facilities standards;

The proposal is compliant with all requirements of the Adequate Public Facilities Ordinance (APFO) in that the applicant has adequate means to obtain sewer and water service to the site and meets the transportation and school capacity requirements of the Adequate Public Facilities Standards (APFS). Based on the analysis conducted, the proposed development will not have a detrimental impact on the existing and planned transportation network, provided certain improvements as noted in the approval conditions are implemented. The Project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

d. Constitute a violation of any provision of this Code or other applicable law; or

The Project does not constitute a violation of any provision of the Zoning Ordinance or other applicable law. As described, the Project meets or exceeds the development standards for the MXCD zone. Further, parking, lighting, open space, public use space, and landscaping for the Project are all in accord with the City's requirements, as illustrated by the attached plans, subject to the Mayor and Council and Planning Commission approval of the noted waivers. The Project was also specifically designed to comply with the design guidelines for all mixed-use zones, as well as the design guidelines applicable to the MXCD zone.

The Project is compatible with and will complement the surrounding uses and properties. The Project is surrounded by other MXCD zoned properties and the mixed-use Planned Development of King Farm. The Project replaces an outdated auto dealership and surface parking lot with a modern residential community featuring missing-middle housing. It will serve

to provide activation of the existing nearby commercial uses and additional ridership to the Metro Shady Grove Station.

- e. *Adversely affect the natural resources or environment of the City or surrounding areas.*

The Property is currently improved with largely impervious surface: a one-story auto dealership structure, paved surface parking lots and undeveloped land. The Project will reduce the existing impervious surfaces. It will also include modern storm water management features as detailed on the Storm Water Management Concept Plan. The application meets all forest conservation requirements under City Code Section 10.5-22.

Recommendation and Conditions

In summary, staff concludes that the proposal is compliant with all applicable codes and regulations and recommends approval of Project Plan Application PJT2021-00013, based on the above findings. Staff also recommends that the Mayor and Council approve flexible parking standards for the community center, finding that the applicant's request is consistent with the intent of section 25.16.03.h. To ensure compliance with the findings at the site plan phase, staff recommends approval with the conditions below, to be incorporated into a Mayor and Council resolution of approval. (Please note that staff and the applicant are discussing some of the specific terms of the conditions, and there may be slight changes to these in the final recommendation and resolution).

Planning and Zoning

1. The applicant shall comply with the City's Publicly Accessible Art in Private Development Ordinance. Applicant must provide a concept for approval prior to issuance of a building permit.
2. The buildings shall meet all applicable handicap-accessibility requirements of the State of Maryland and the Americans with Disabilities Act of the Federal Government, as well as all construction code requirements of the City of Rockville.
3. The applicant shall relocate and underground the existing electrical connection to the Farmstead from Route 355/Frederick Road as shown on the Project Plan.
4. The Project Plan shall have a validity period of 12 years.

Department of Public Works Engineering

5. The applicant must construct all proposed roads, private alleys and all public improvements within the Property and Frederick Road and Pleasant Drive rights-of-way per City standards and specifications, except as otherwise approved or waived. Minor deviation from the approved cross-sections requires approval from the Director of Public Works at the Site Plan phase. The right-of-way for all public roads within the Property must be dedicated to public use and be reflected on a Final Record Plat, to be reviewed by staff and approved by the Planning Commission and other agencies having jurisdiction of the right-of-way.
6. The street cross-sections for Streets A, B, C D, E and F are contingent upon the Mayor and Council's authorization of Road Code Waivers from Chapter 21 of the Rockville City Code. Should the Mayor and Council approve the Road Code Waivers, all street sections shall comply with the Project Plan and exhibits. Any deviation from the sections must be approved by the Director of Public Works at the Site Plan phase.
7. The applicant shall dedicate to the City for public use any property along the property frontage that lies within a minimum 75-feet from the existing roadway center located beyond the existing SHA Frederick Road right-of-way. The right-of-way to be dedicated shall be in accordance with the Project Plan and exhibits, including those coordinated with MCDOT to accommodate the future MD 355 Bus Rapid Transit. Any deviation must be approved by the Director of Public Works at the Site Plan phase.
8. The applicant shall grant to the City all Public Improvement Easements (PIE) as shown on the Project Plan and exhibits. Any deviation from the location of the PIE must be approved by the Director of Public Works at the Site Plan phase.
9. Applicant shall construct all necessary public improvements, including but not limited to street trees, streetlights, street light conduit, and traffic signals in accordance with all applicable City standards, or the standards of the jurisdiction of the corresponding right-of-way. Public improvements shall be located within the right-of-way or within a Public Improvements Easement as approved by the Director of Public Works.
10. The applicant must grant a Public Access Easement (PAE) across the entire width of the privately maintained alleys and grant a 1' Public Improvement Easement (PIE) adjacent to public rights-of-way for maintenance of public sidewalks as shown on the Project Plan Road Cross Sections. The PAE and PIE must be reviewed and approved by DPW and in a format acceptable to the City Attorney's Office and be recorded in the Montgomery County Land Records, prior to DPW issuance of any Public Works (PWK) permit. Applicant shall execute a Revocable License and

Maintenance Agreement for the shared maintenance of Stormwater Management Facilities located within the public right-of-way. The agreement must be executed by the property owner and other parties of interest for review and approval by DPW and the City Attorney's Office. The Revocable License and Maintenance Agreement must be authorized by the Mayor and Council, and must be recorded in the Montgomery County Land Records prior to DPW issuance of any Stormwater Management (SMP) permit.

11. Applicant shall comply with all conditions of WSSC's Hydraulic Planning Analysis (HPA) and Letter of Findings dated August 11, 2021 as may be amended.
12. Applicant shall comply with the conditions of DPW's Pre-Application SWM Concept Approval Letter dated June 17, 2021 and Annexation SWM Concept Approval Letter dated August 31, 2021 as may be amended.
13. The applicant shall construct dry utilities underground within Public Utility Easements unless otherwise permitted to be located elsewhere by the Director of Public Works. At the Site Plan phase, the Applicant shall submit a conceptual dry utility plan to be approved by both the utility companies and the Department of Public Works.
14. The applicant must obtain all necessary approvals and/or permits for all driveway access points and utility connections proposed on the Project Plan from all agencies with jurisdiction, including MDSHA and the City of Rockville.
15. The Mayor and Council must authorize the termination of any existing easement that is dedicated to the City of Rockville. Any termination of an easement dedicated to the City must be reviewed and approved by DPW in a format acceptable to the City Attorney's Office and be recorded in the Montgomery County Land Records prior to issuance of any DPW permit. If required by the terms of any existing easement granted to an entity other than the City of Rockville, Applicant must submit plans for work within the easement to Grantee for review. If Grantee's permission for such work is required, the Applicant must secure Grantee's written permission for any proposed development activity within the easement, or the easement must be extinguished, prior to the submission of an application for any DPW permit.
16. Submission for review and approval by the City Attorney's office prior to DPW permit issuance, all necessary deeds, easements, agreements, dedications and declarations. Drafts of the documents must be included with the initial submission of the engineering plans and must be recorded prior to issuance of DPW permits, unless otherwise allowed by DPW.

17. The applicant shall relocate and underground the existing electrical connection to the Farmstead from Route 355/Frederick Road as shown on the Project Plan.
18. The applicant shall coordinate with SHA as necessary and construct the Farmstead entrance from Route 355/Frederick Road to the existing and/or proposed access road serving the Farmstead as shown on the Project Plan.
19. Applicant shall comply with the waiver conditions of DPW's Roadway Design Layout Letter dated September 3, 2021.

Traffic and Transportation

20. A traffic signal at the entrance to the development on MD 355 will be required, with corresponding interconnections per MD SHA and/or Montgomery County DOT requirements and standards to the adjacent signals at the intersections of Ridgemont/355 and Shady Grove/355. The applicant shall obtain design approval for the signal and all related improvements per MD SHA and/or MCDOT, and fully bond the entire cost with the City prior to issuance of any building permit on the subject site. The actual construction of the signal and interconnections and any other related improvements required by the Maryland State Highway Administration (owner of signal), and Montgomery County Department of Transportation (operator of signal) must be completed prior to project buildout and/or when warranted and permitted by MDSHA and/or MCDOT, whichever occurs first.
21. Prior to the issuance of the 50th occupancy permit or at a time stipulated by WSSC, whichever is sooner, the applicant shall construct the path through the WSSC easement area and on the northern section of the site as shown on the submitted plan with direct connections to the proposed frontage improvements along MD 355. Construction of the path shall be made in accordance with any requirements from WSSC, and per the City requirements and standards.
22. Prior to the issuance of any occupancy permit, the applicant shall replace the existing sidewalk along the property frontage of MD 355 with a buffered 10-foot-wide cycle track, an 8-foot wide landscape panel, and a 6-foot wide sidewalk within the dedicated area as shown on the site plan and as recommended by the 2017 approved Bikeway Master Plan. The design is subject to minor modifications as needed for accommodating the existing above-ground utilities to remain.
23. Prior to the issuance of the 50th occupancy permit, the applicant shall construct curb bump outs, ADA accessible sidewalk ramps, and crosswalks on all approaches to the intersection of proposed Street F with Pleasant Drive extended, as shown on the project plan. The design is subject to minor modifications, as necessary, during the site plan phase.

24. Prior to the issuance of any occupancy permit, the applicant shall construct the required intersection improvements as shown on the project plan that improve and enhance safe pedestrian and bicycle accommodation at the intersection of Piccard and Pleasant Drive. The recommended improvements include adjustments to the curb radii, ADA compliant curb ramps, crosswalks and signage. The design is subject to minor modifications, as necessary, during the site plan phase.
25. Prior to the issuance of the 50th occupancy permit, the applicant shall construct and extend a sidewalk connection with sufficient bike accommodation, as deemed necessary by the City, from approximately midpoint of proposed street D to the existing Park access Road and its parking lot, as shown on the project plan.
24. All internal and external traffic control devices (i.e., signs, markings and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn or guide pedestrians and/or vehicular traffic, shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).
25. An on-site signing and pavement marking plan must be approved by the Chief of the Traffic and Transportation Division at the time of Site Plan Signature Set approval and prior to any building permits being issued.
26. Prior to the issuance of the occupancy permit, the applicant shall pay the County's Development Impact Tax, as applicable, subject to the credits/offsets allowed by Montgomery County. The applicant shall submit a receipt of payment to the Inspection Services Division of the Department of Planning and Development Services, and the Traffic and Transportation Division of the Department of Public Works.
27. Prior to issuance of any occupancy permit, the applicant shall install light-emitting diode (LED) streetlight fixtures within the proposed development. Streetlight materials and locations of lights shall be approved prior to the issuance of any Public Works permits.
28. The Applicant shall pay the City's Transportation Improvement Fee as provided in the Comprehensive Transportation Review (CTR). The fee of \$900 per residential unit must be paid prior to the issuance of any occupancy permit.
29. Prior to issuance of a PWK permit, one of the two following items must be complete: Adoption by Mayor & Council of the applicant's road code waiver in accordance with the Rockville City Code, or
 - Submission and approval of a new site plan that would include the required minimum ROW and pavement width for all proposed roadways within the subject site, in accordance with approved DPW standards.

30. Prior to the issuance of any occupancy permit for the proposed community building, the applicant shall install the required short-term and long-term bike parking as required by the zoning ordinance, and as shown on the project plan.

Forestry

A Final Forest Conservation Plan (FCP) must be reviewed and approved by the City with the signature set site plan submission and prior to release of any Building, Forestry or DPW permits associated with site plan submission. The Final FCP shall be generally consistent with the Preliminary Forest Conservation Plan (PFCP) and approval letter and provide tree plantings consistent with outlined requirements. Final FCP and the site plan must comply with the Forest and Tree Preservation Ordinance (FTPO) and Zoning Ordinance. In addition to compliance with applicable codes, the following specific directives must be followed unless modified by the City Forester:

31. Ensure tree plantings meet minimum spacing requirements, which include:
- Shade trees spaced 20 feet apart, and large or small evergreens and ornamental trees spaced 15 feet apart. Shade trees 15 feet from ornamental trees. Spacing between evergreens and shade trees is either 15 or 20 feet, as determined by the City because distance is dependent on the growth habit of the evergreen, which is species/cultivar-specific.
 - 10 feet from wet and dry utilities, except when these are under streets.
 - 15 feet from streetlights and driveways (DPW to provide requirements for sight distances and stop signs).
 - 10 feet from inlets.
 - Shade trees and large evergreens shall be spaced a minimum of 7 feet, and ornamental trees and small evergreens to be spaced a minimum of 5 feet from micro bioretention underdrain pipes (6" diameter and smaller).
 - Street trees can be planted over stormwater conveyance pipes when pipes have a minimum of 4 feet of cover and are immediately behind the curb.
 - Trees planted to meet FTPO or other forestry requirements on the site may not be located within existing or proposed easements (excluding forest conservation easements).
32. The Applicant must submit a Final Forest Conservation Plan (FFCP) which meets the minimum requirements approved with the PFCP plan for the proposed limits of the site plan.
33. Use current City tree tables.
34. Use current City FTPO notes and details.

35. Ensure the plan does not contain overwrites and is prepared per the general structure requirements for Final FCPs.
36. Soil augmentation per the city's Forest and Tree Preservation Ordinance Notes will be required prior to installation of new trees within existing green space or where pavement was previously located. The current ordinance notes at the time of Final FCP submission shall be included on the Final FCP.
37. Graphically delineate the areas where soil removal and replacement is required prior to installation of all new trees.
38. At the time of site plan submission, the Applicant must submit a landscape plan for that subject property consistent with all City ordinances.
39. The applicant must address all comments provided on the most recent PFCP submission plans by the forestry reviewer.
40. The applicant is required to comply with the approved PFCP letter, as may be amended.
41. Applicant must secure the tree planting waivers pursuant to Sec. 25.21.07 of the Zoning Ordinance, as approved by the Planning Commission.

Fire Marshal

42. Provide details of proposed Fire Lanes for this project.
43. Provide fire flow calculations when Building Plans are submitted for review.
44. Submit a Fire Protection Site Plan with the following information:
 - a. Provide 2 Access points into the project, with perimeter access of 450 feet walk around exterior of each sprinklered building, road width dimensions (FD Access Roads must be a minimum 20 feet).
 - b. Establish Fire Lanes for all structures.
 - c. Provide a Turning Template for Fire Apparatus, with interior radius of 25 feet and exterior radius of 50 feet.
 - d. Show all new/existing fire hydrants facing towards the street located with fire flow water calculations for project.
 - e. Overhead vertical obstructions must be no lower than 16 feet in height.
 - f. Each leg of "T" turnaround must be 60 feet.

Moderately Priced Dwelling Units (MPDUs)

45. The applicant is required to provide a minimum of 15% of the residential units as Moderately Priced Dwelling Units (MPDUs). Now the City will have 58 MPDU units as per latest discussion: 18 stacked condominium townhomes and 40 townhomes.
46. Residential units constructed on the site must comply with the standards and requirements of the Rockville Moderately Priced Dwelling Unit Ordinance, Chapter 13.5 of the Rockville City Code.
47. The minimum square footage for an MPDU townhouse with 3 bedroom and 2 bath is 1200 square ft, per the City's MPDU regulations.
48. The MPDU units must be blended with the other market rate units.
49. The MPDU units must not be distinguishable from the market rate units.
50. The MPDUs should not be overly concentrated in any one area of the project.
51. The Declaration of Covenants for sale of properties must be recorded before issuing any building permit.

Mayor and Council History

The 16160/16200 Frederick Road property is currently located in Montgomery County and is proposed to be annexed into the city via Annexation petition ANX2020-00146. The Mayor and Council introduced a resolution to enlarge the City's corporate boundaries and had a public hearing on the requested annexation on May 17, 2021. In addition, on September 13, 2021, Mayor and Council authorized the City Manager to approve an annexation agreement that contains terms for development of the property, as well as commitments from both EYA and the City Council, that includes EYA building a 47-space parking lot on the King Farm Farmstead site. The Mayor and Council held a briefing on this proposed project plan on July 19, 2021. At the October 4, 2021 meeting, Mayor and Council adopted a resolution to enlarge the corporate boundary to include the King Buick property and an ordinance to amend the zoning to apply the MXCD zone on the annexed property.

Public Notification and Engagement

Pursuant to Section 25.07.05 of the Zoning Ordinance, a Project Plan requires that the applicant reach out to the neighborhood and conduct two public area meetings: a pre-application area meeting held during the pre-application process, and a post-application area meeting held following submittal of the project plan application. The project applicant has complied with both requirements including written and electronic notification. The applicant held a pre-application area meeting on November 24, 2020 (2 residents were in attendance) and a post-

application area meeting on June 3, 2021 (2 residents in attendance) with the required notifications accomplished accordingly.

Project Plan applications require briefings on the application at both a Mayor and Council meeting and a Planning Commission meeting early in the application process. This requirement provides an early opportunity for both bodies to provide feedback on the proposed development. The Project Plan briefing was held at the Planning Commission meeting on June 23, 2021 and at Mayor and Council on July 19, 2021. After the briefings, the project is subject to staff review, a recommendation from the Planning Commission, and approval by Mayor and Council. This approval must occur after the annexation resolution is adopted. After approval of the Project Plan, the Planning Commission will consider a site plan, or multiple site plans if the project is phased, implementing the Project Plan.

Changes have been made based on staff comments. Five townhouse units that were shown abutting the King Farm farmstead in the pre-Application Meeting submission have since been replaced with additional public use space envisioned to contain playgrounds and other amenities.

Applicant has made other changes to the project now reflected in the project plan Application in response to City staff comments on the pre-Application Meeting submission. The Project has been updated to incorporate a large consolidated centralized area that includes a 2,280 square-foot community amenity building with pool, the parking to be provided entirely off-lot in on-street parking located across the street. The design of the community center references architectural elements of the King Farm Farmstead and its light industrial vernacular elements, which includes a standing seam metal hip roof, a mix of wood and metal horizontal siding, canopies, metal frame doors and windows, and brick veneer.

Since the briefing to the Planning Commission on June 23rd, the Applicant has improved pedestrian connectivity to the adjacent streets, King Farm Park and Farmstead. Pedestrian pathways have been created that connect Public Street F with MD 355, adjacent to the King Farm Farmstead. Another pedestrian path connects Public Street D to Pleasant Drive. These paths promote walking and discourage auto use to nearby points of interest.

Another post-application area meeting was held on August 31st in relation to the site plan in which the Applicant made a presentation and answered questions. The meeting notice was posted to NextDoor, a social networking service for neighborhoods, added to the City's website calendar, included in the Development Watch Newsletter, and sent out using various City email lists. Approximately 10 residents participated in the virtual community meeting.

The community concerns expressed that evening focused on appropriate density, adequate public open space, and the potential for through traffic into the King Farm neighborhood. Staff believes that these concerns have been addressed through the project plan. Below is staff's response to these concerns.

Appropriate Density

The Project has been designed well below the maximum density that is permitted. The maximum height in the MXCD Zoning District is 75-feet, which would generate approximately 1.8 million square feet of development. The Project's gross development square footage is 800,000 square feet. The Project is designed with two-over-two condominiums that are 55-feet in height along the MD-355 street frontage, which steps down to 45-foot tall townhomes within the interior of the project.

Public Open Space

Several of public participants expressed concern whether the open space requirements were being met. The Project exceeds the requirements for open area and public use spaces. Specifically, the Project provides 42.4% of net lot area as Open Area (376,076 SF) and 13.8% of net lot area as Public Use Space (122,635 SF). Section 25.13.05(b) (I) of the Zoning Ordinance requires 15% Open Area and 10% Public Use Space.

Cut-through traffic concerns

Some of the meeting's discussion focused on the potential that some site-generated traffic would cut through the King Farm neighborhood. Participants asked whether a north access from the site to Shady Grove Road would be possible, and whether a traffic study is available to support the Project and demonstrate impacts to the adjacent neighborhood.

In the applicant's prepared transportation report, traffic impacts for the project were documented and mitigations were recommended. Special studies were requested by staff to evaluate the effect on King Farm, including a study to evaluate cut-through traffic within the community. The consultant evaluated alternate routes utilizing King Farm, as compared to using the primary access on Frederick Road. Another evaluation was done to determine whether the new signalized intersection at Frederick Road along with the proposed connection to Pleasant Drive extended would introduce outside cut-through traffic to the King Farm neighborhood.

One of the key transportation improvements for this project is the addition of the traffic signal at the intersection of "Street A" and Frederick Road, which is the primary entrance to the development. Through the regular cycle of the planned traffic signal, the development's traffic is guaranteed dedicated time to make turning movements on Frederick Road when the mainline traffic is stopped. Provision of the traffic signal at this location will prevent the generated traffic seeking alternative routes through King Farm to Frederick Road or Shady Grove Road.

As part of the transportation report, the applicant evaluated routes that could be taken to destinations through King Farm, versus using the primary entrance onto Frederick Road. Criteria used in the comparisons included distance, projected times, and how many traffic signals were along the routes. For the development-related traffic that is oriented to

northbound I-270, there are two potential routes 1) going through the new signalized intersection of the development at Frederick Road, going through the signalized intersection of Shady Grove Road and Frederick Road, and using I-370 to gain access to I-270; or 2) using Pleasant Drive extended to Piccard Drive, then Gaither Road, then Shady Grove Road to gain access to I-270. The first route utilizing the primary entrance on Frederick Road is more direct and requires going through two signalized intersections, whereas the second route which is through King Farm requires going through three signalized intersections and takes a longer travel time. For access to southbound I-270, the King Farm route is even longer and requires traveling through two additional signalized intersections.

For site-development traffic oriented to the King Farm retail center, the use of Frederick Road versus using Pleasant Drive yields no difference in expected travel times, despite a slightly longer route.

To evaluate potential outside cut-through traffic to King Farm utilizing the new roadway network from this development, a review of historic traffic volumes was conducted. At the intersections of Frederick Road and Ridgemont Avenue, and Frederick Road and King Farm Boulevard, it was found that the majority of southbound Frederick Road traffic destined to King Farm is making a right turn on King Farm Boulevard (89% AM, 92% PM peak hours) instead of Ridgemont Avenue (11% AM, 8% PM). The same was true for exiting King Farm traffic heading north on Frederick Road. Therefore, it can be reasonably assumed that very few vehicles exiting the King Farm community would be willing to cut through the site on a circuitous route using the proposed connection from Pleasant Drive extended in order to gain access from Frederick Road, instead of using the existing Ridgemont or King Farm signalized intersections.

Regarding the potential northern access from the development to Shady Grove Road, staff notes that prior Mayor and Council actions were not supportive of such a connection. Additionally, staff believes a northern connection could introduce cut-through traffic to the proposed development and King Farm, as well as potentially serving as a bypass for the congested intersection of Shady Grove Road and Frederick Road.

The transportation report has been made available on the City's website and staff contacts were made available to the participants of the post-application area meeting.

Boards and Commissions Review

The Planning Commission held a briefing on the proposed project plan on June 23, 2021. The Planning Commission considered a recommendation on the project plan at their meeting on September 22, 2021. Five members of the public spoke and expressed concerns about items such as traffic on Frederick Road and through King Farm, the density of the project, and the amount of open space. The Commission discussed these items, as well as the potential waiver to the required three trees per lot. The Commission voted 6-0 to recommend approval of the

project consistent with the findings and conditions noted by staff with two reservations: the density of the development and granting of the tree waiver.

Next Steps

Following the public hearing, Mayor and Council will hold discussion and instructions to staff in the next agenda item.

Attachments

Attachment 10.a:	Application Materials (PDF)
Attachment 10.b:	Site Plan (PDF)
Attachment 10.c:	Supporting Exhibits 1 (PDF)
Attachment 10.d:	Supporting Exhibits 2 (PDF)
Attachment 10.e:	Tree Lot Waiver 8-27-21 (PDF)
Attachment 10.f:	Preliminary Forest Conservation Plan Approval (PDF)
Attachment 10.g:	June 17 Stormwater Letter (PDF)
Attachment 10.h:	August 31 Stormwater Letter (PDF)
Attachment 10.i:	September 3 Roadway Design Letter (PDF)
Attachment 10.j:	King Buick Public Comments Combined 10 6 2021 (PDF)



Rob DiSpirito, City Manager

10/12/2021



Application for

Project Plan Application/Amendment

Planning & Development Services

Received

May 3, 2021

10.a

PJT
6/15

City of Rockville

Department of Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • Fax: 240-314-8210 • E-mail: pds@rockvillemd.gov • Web site: www.rockvillemd.gov

Type of Application:

☐ Project Plan ☐ Project Plan Amendment (major) ☐ Project Plan Amendment (minor)

Please Print Clearly or Type

Property Address information 16200 Frederick Road

Subdivision _____ Lot (S) _____ Block _____

Zoning MXCD Tax Account (S) 09-00772335 , 04-03126715 , _____

Applicant Information:

Please supply Name, Address, Phone Number and E-mail Address

Applicant Wyndham Robertson - EYA Development, LLC

4800 Hampden Lane #300 Bethesda, MD 20817 3012737042 wyndhamr@eya.com

Property Owner Frederick Road Limited Partnership / Victor, Inc.

16200 Frederick Road Gaithersburg, MD. 20898

Architect _____

Engineer VIKA Maryland Attn: Logan Kelso, P.E.

20251 Century Boulevard, Suite 400 Germantown, MD. 20874

Attorney Miles and Stockbridge Attn: Barbara Sears

11 N. Washington Street Suite 700 Rockville, MD 20850

Project Name King Buick

Project Description Residential development with townhomes and stacked condominium townhomes

STAFF USE ONLY

Application Acceptance:

Application # PTJ2021-00013

Pre-Application _____

Date Accepted _____

Staff Contact _____

OR

Application Intake:

Date Received 03 May 2021

Reviewed by _____

Date of Checklist Review _____

Deemed Complete: Yes ☐ No ☐

Packet Pg. 107

Attachment 10.a: Application Materials (3869 : Public Hearing on PJT2021-00013 16200 Frederick Rd- King Buick)

Application Information:**Level of review and project impact:**

This information will be used to determine your projects impact, per section 25.07.02 of the Zoning Ordinance for Project Plan and Site Plan applications only.

Tract Size 20.5 acres, # Dwelling Units Total 371 Square Footage of Non-Residential 2000
 Residential Area Impact 35-64 %
 Traffic/ Impact/trips 67 net

Proposed Development:

Retail <u>n/a</u>	Sq. Footage	Detached Unit <u>0</u>	Parking Spaces <u>980</u>
Office <u>n/a</u>	Sq. Footage	Duplex <u>0</u>	Handicapped <u>6</u>
Restaurant <u>n/a</u>	Sq. Footage	Townhouse <u>253</u>	# of Long Term <u>0</u>
Other <u>n/a</u>	Sq. Footage	Attached <u>0</u>	# of Short Term <u>2</u>
		Multi-Family <u>118</u>	
		Live _____	
		MPDU <u>56 (15%)</u>	

Existing Site Use(s) (to include office, industrial, residential, commercial, medical etc.) Commercial (car dealership)
 and undeveloped land

Estimated Points Total:

To complete the table below, use the information that you provided above to calculate your total points from the chart below.

Points/Elements	1	2	3	4	Points
Tract size - Acres	1 or fewer	1.1 to 2.5	2.6 to 5	5.1 or greater	4
Dwelling Units	5 or fewer	6 to 50	51 to 150	151 or greater	4
Square Footage of Non-Residential Space	5,000 or fewer square feet	5,001 to 10,000 square feet	10,001 to 50,000 square feet	50,001 or greater square feet	1
Residential Area Impact	No residential development in a residential zone within 1/4 mile of the project	35% of area within 1/4 mile of the project area is comprised of single-unit detached residential units	65% of area within 1/4 mile of the project area is comprised of single-unit detached residential units	Development is within single-unit detached unit area.	2
Traffic Impact - Net new peak hour trips 67	Fewer than 30 trips	30-74 trips	75-149 trips	150 or more trips	2
Points Total*					13
The total of the points determine the level of notification and the approving authority .					

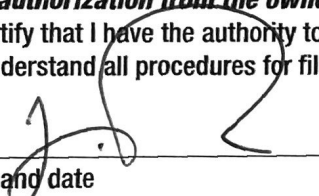
- ☐ Project Plan Amendment (major)
- ☐ Project Plan Amendment (Minor)

Previous Approvals: (if any)

Application Number	Date	Action Taken
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.
 I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understand all procedures for filing this application.

Please sign and date

 4/30/21

Application Checklist:**The following items are to be furnished as part of this application:**

- ☒ Completed Application
- ☒ Filing Fee (to include Sign Fee)
- ☒ Pre-Application Meeting Number 2021-00129 and Documentation (Development Review Committee Mtg. notes)
- ☒ Proposed Area Meeting Date 5/30/2021 including location virtual
- ☒ Concept Site development plan, prepared and certified by a professional engineer. (Twelve (12) copies - Fifteen (15) if on a state highway: (size 24 x 36)(folded to 8 1/2 X 11)
- ☒ Approved NRI/FSD (Natural Resources Inventory/Forest Stand Delineation Plan)
- ☒ Conceptual Building Elevations & Floor Plan (3 copies)
- ☒ CTR (Comprehensive Transportation Review) Report –with fee acceptable to Public Works (copy to CPDS).
- ☒ Concept Landscape Plan (6 copies) (size 24" X 36") (folded to 8 1/2" X 11").
- ☒ Preliminary Forest Conservation Plan (FCP)
- ☐ Pre-Application Storm Water Management Concept Package with Fee via Separate Check (Unless Previously Submitted with the Pre-application Materials) **PREVIOUSLY SUBMITTED WITH PAM APPLICATION**
- ☐ Water and Sewer Authorization Application **PROJECT IS WITHIN WSSC SERVICE AREA**
- ☒ Project narrative to include statement of justification that addresses compliance with all relevant Sections of the Zoning Ordinance, including but not limited to:
- Comprehensive Master Plan and other plan regulations
 - Master Plan other Plans and Regulations
 - Mixed Use Development Standards, including Layback slope and shadow study (Section 25.13)
 - Landscape, Screening and Lighting Manual
 - Adequate Public Facilities (Section 25.20)
 - Parking (Section 25.16)
 - Signs (Section 25.18)
 - Public use space (Section 25.17)
- ☐ Additional information as requested by staff
- ☒ Electronic Version of all materials (pdf format acceptable)
- ☒ Fire protection site plan

Comments on Submittal: (For Staff Use Only)

April 30, 2021

Barbara A. Sears
bsears@milesstockbridge.com
301.517.4812**Phillip A. Hummel**
phummel@milesstockbridge.com
301.517.4814

Jim Wasilak, AICP
Chief of Zoning
City of Rockville Department of Planning and Development Services
111 Maryland Avenue
Rockville, Maryland 20850

**Re: Project Plan Application for 16160/16200 Frederick Road and Parcel
P170, Rockville – Project Narrative**

Dear Mr. Wasilak:

EYA Development (“Applicant”) is filing this Project Plan Application for 16160/16200 Frederick Road and Parcel P170, Rockville (the “Project Plan Application”) pursuant to Chapter 25 of the City Code (the “Zoning Ordinance”). The Project Plan Application proposes the redevelopment of 16160/16200 Frederick Road and Parcel P170 (collectively, the “Property”) in the City of Rockville (the “City”) with a maximum of 371 dwelling units (up to 1.5 FAR residential), along with attractive open spaces, amenities, and other infrastructure improvements (the “Project”). As discussed in greater detail below, the Project seeks to transform an existing automobile dealership/service facility and unimproved areas with a range of new single-family and multi-family homes for ownership (15% of which as moderately priced dwelling units) convenient to transportation facilities, commercial services, and community facilities.

The Property

The Property comprises two main components: 16160/16200 Frederick Road (the “Frederick Road Lots”) and Parcel P170 (“P170”). The Frederick Road Lots contain approximately 10.23 acres and are more particularly known as Parcel A and Parcel C, King’s Addition to Shady Grove as depicted on Plats No. 7936 and 10684 recorded among the Land Records of Montgomery County on August 23, 1965 and September 4, 1973, respectively. The Frederick Road Lots are improved with the King Buick/GMC/Mitsubishi automobile dealership and service facility, along with associated surface parking lots. The Frederick Road Lots portion of the Property is

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currently located in unincorporated Montgomery County and presently classified in the GR (General Retail)-1.5 H-45 zone.

Victor, Inc., which is the current owner of the Frederick Road Lots, filed a petition to annex the Frederick Road Lots into the City, together with the 1.73 acre abutting Frederick Road right-of-way, and reclassify it to the City's MXCD (Mixed-Use Corridor District) zone (ANX2000-00146 – King Buick, the "Annexation Petition"). Since the filing of the Annexation Petition, the Mayor and Council has introduced a resolution to enlarge the City's corporate boundaries, approved the Planning Commission's annexation plan, and adopted a resolution to set a public hearing on the requested annexation for May 17, 2021.¹

The other component of the Property is P170, which is an unrecorded and unimproved parcel containing approximately 10.34 acres of land. P170 is currently located within the corporate boundaries of the City of Rockville and is classified in the MXCD zone. The combined area of the Frederick Road Lots and the City Parcel is approximately 20.57 acres. Applicant has entered into a contract to purchase the Property to redevelop it with the Project.

Although the Frederick Road Lots are currently subject to the recommendations of the 2006 Shady Grove Sector Plan, the Montgomery County Council on April 6, 2021 adopted the Shady Grove Sector Plan Minor Master Plan Amendment (the "Plan Amendment"). The Plan Amendment recommends rezoning the Frederick Road Lots from GR-1.5 H-45 to CRT-1.5 C-0.5 R-1.5 H-80. P170 is presently subject to the recommendations of the City's 2002 Comprehensive Plan. The Mayor and City Council is currently reviewing the Planning Commission recommended draft of the Rockville 2040 Comprehensive Plan (the "Draft 2040 Plan"), which will ultimately replace the City's 2002 Comprehensive Plan.

¹ On April 20, 2021, the Montgomery County Council adopted a resolution expressly approving the Annexation Petition and the associated reclassification of the Frederick Road Lots and abutting Frederick Road right-of-way from the GR (General Retail) zone to the City's MXCD (Mixed-Use Corridor District) zone, subject to three conditions regarding density, the provision of certain right-of-way for Frederick Road with the incorporation of the design alignment for the Maryland Route 355 Bus Rapid Transit Project, and the incorporation of certain Vision Zero improvements along Maryland Route 355. As shown on the plans submitted with the Project Plan Application, the Project complies with these conditions.

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To the Property's south is the King Farm neighborhood, which is a mixed-use community containing single-family and multi-family homes, parks (including the Mattie J.T. Stepanek Park and the King Farm Dog Park), retail businesses at the King Farm Village Center, and other commercial uses. The King Farm farmstead abuts the Property to the southeast. The Property fronts Frederick Road (Maryland Route 355), which provides convenient access to the regional road network, including Interstate 370, Maryland Route 200 (the Intercounty Connector), Shady Grove Road, and Interstate 270. Northwest of the Property are multiple commercial uses, including a hotel, an office building with ground floor retail, and a shopping center. Additionally, the Property is located within walking distance of the Shady Grove Metrorail station, which provides heavy rail service to Glenmont via the District of Columbia and offers access to numerous Metrobus, Ride On, and Maryland MTA bus routes. The Maryland Route 355 corridor in the vicinity of the Property contains a diverse mix of uses, including professional offices, retail businesses, hotels, industrial space, multi-family buildings, and community facilities.

Project Description

As shown on the plans submitted with the Project Plan Application, Applicant's Project is envisioned as a walkable and transit-oriented residential neighborhood with a range of unit types, a network of public streets and private alleys, desirable and welcoming community amenities and open spaces (both public and private), and attractive landscaping. The Project proposes a maximum of 371 total dwelling units (up to 1.5 FAR residential) comprised of 253 townhouses with front and rear loaded garages and a variety of widths (expected to be 14 feet wide through 24 feet wide) and 118 two-over-two multi-family units. Fifteen percent of the Project's dwelling units will be provided as moderately priced dwelling units ("MPDUs"). The MPDUs will include both townhouses and two-over-two multi-family homes, all of which will be offered as ownership units with two to three bedrooms and appropriately scattered throughout the Project. The Project's locates the two-over-two multi-family units (up to 55 feet in height) along the Property's Frederick Road frontage, with the townhouses (up to 50 feet in height) sited at the Property's sides, rear, and interior. The two-over-two multi-family units and townhouses in the Property's interior will be accessed by rear-loaded alleys, while the townhouses located on the Property's perimeter will be served by front-loaded driveways with rear yards that provide an additional buffer to adjacent properties. Providing front loaded driveways for these units responds to existing grading restraints, prevents the construction of alleys in areas along the Property's edges, and allows for enhanced compatibility with adjacent properties through natural landscaped screening. Five townhouse units that were shown abutting the King Farm farmstead in the Pre-Application Meeting submission

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have since been replaced with additional public use space envisioned to contain playgrounds and other amenities. All dwelling units will provide required parking on each respective lot. The Project also includes an approximately 2,280-square-foot community amenity building with pool, with parking to be provided entirely off-lot in on-street parking conveniently located across the street.

The Project Plan Application materials illustrate the Project also includes an attractive system of thoughtfully designed public use spaces and open areas connected by safe and efficient pedestrian walkways. These amenities are thoughtfully distributed throughout the Property to encourage opportunities for recreation, gathering, and respite. The Project has been updated since the Pre-Application Meeting submission to incorporate a large consolidated centralized area that includes the community amenity building/pool, as well as public use space intended to include open lawn areas, a fire pit, outdoor game area, and outdoor seating. The Property's Frederick Road frontage is also provided as public use space with additional dedicated right-of-way to create a welcoming and inviting presence for pedestrians, cyclists, and motorists. As noted above, five townhouses shown in the Pre-Application Meeting submission abutting the King Farm farmstead have been replaced with additional public use space expected to be programmed with playground areas and other amenities. The concept landscape plan depicts that portions of the Project's open areas will be enhanced with generous landscaping, including shade trees, ornamental trees, evergreen trees, shrubs, as well as lawn areas. The Project's proposed public use space also includes the approximately 75-foot wide easement area on the Property's northwestern edge, which Applicant has coordinated with WSSC to program as a proposed natural trail in a meadow setting with plantings and flowers to attract butterflies and birds, as well as lawn areas for active and passive recreation. This area will also serve as an attractive and effective buffer between the Project and the existing commercial uses towards Shady Grove Road. The Project's other public use spaces are provided as multiple pocket parks effectively dispersed around the site. As a result of Applicant's modifications, the Project's open areas and public use spaces are now thoughtfully aligned along a central axis from the Property's Frederick Road access point through to a mews area between Public Streets B & C, to the centralized community amenity building/pool/public open space, and the new pedestrian connection from Public Street D to Mattie J.T. Stepanek Park.

Additionally, the Project incorporates safe and efficient circulation for vehicles, pedestrians, and cyclists. Applicant has updated the Project by eliminating a proposed access point to provide a single point of ingress/egress from Frederick Road (identified as Public Street A). The Project also provides a 10 foot wide shared use

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path along the entirety of the Property's Frederick Road frontage (increased from an eight foot width in the Pre-Application Meeting submission) to improve walking and cycling connections with surrounding areas. The Project maintains the proposed connection to Pleasant Drive (identified as Public Street F), which is critical link for ensuring appropriate access for future residents and emergency vehicles and providing convenient access to the King Farm Village Center so future residents can easily patronize those businesses by car, foot, or bicycle. The Project's other public streets (Public Streets B, C, D, E) will effectively distribute traffic from these access points to the Project's residential units and amenities while discouraging cut-through traffic to King Farm. This is achieved by eliminating a direct and straight connection from Frederick Road to Pleasant Drive. The public streets will also include five and six foot wide sidewalks and generous planting strips with street trees to encourage walking and increase the pedestrian level of comfort. In comparison to the Pre-Application Meeting submission, the Project increases both public right-of-way and open area/public use space. Since the Pre-Application Meeting submission, the Project has also been updated to include a new pedestrian connection from the Property to the adjacent Mattie J.T. Stepanek Park. On-street parking spaces will be included in the public streets to accommodate parking for visitors and users of the community amenity building. Private alleys will serve the rear-loaded residential units.

Applicant has made other changes to the Project in the Project Plan Application in response to City staff comments on the Pre-Application Meeting submission. The removal of the five townhouse units adjacent to the King Farm farmstead accommodate additional landscape plantings for buffering. The Project also reduced the number of residential units abutting the King Farm Dog Park from 15 to 11, increased the minimum rear setback from 20' to 25' (while some of the proposed units have a greater rear setback between 30' to 41'), and incorporated additional plantings for screening. Applicant has also closely coordinated with City staff to find ways to support the adaptive reuse of the King Farm farmstead. The parties have agreed upon further study of an updated driveway from Frederick Road across the Property, the construction (or equal monetary contribution) for a new approximately 40 parking space lot on the farmstead site with an accessible sidewalk connection, and undergrounding utility pole lines on the Property that serve the farmstead site. Applicant will continue to consult with City staff on options for supporting the farmstead as part of development review.

Stormwater management for the Project will provide environmental site design ("ESD") to the maximum extent practicable ("MEP"). This includes ESD facilities of at-grade and planter box style micro-bioretenion and permeable paver

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facilities, with underground structural facilities supplementing treatment to reduce the deficit of target to achieved stormwater management volume. Per Section 19-2 of the City Code, the proposed development is considered “redevelopment,” with existing site impervious area exceeding forty (40) percent. Per Section 19-43(d), redevelopment projects may be permitted by the City to treat less than one (1) inch of rainfall. Alternatives for WQv, CPv and Qp10 of the Site is being requested through payment of a monetary contribution, which will be calculated based on the approved plans utilizing the schedule of rates that are in affect at the time of permit issuance for the remaining untreated volume. The existing adjacent right-of-way requirements for the Frederick Road and Pleasant Drive requirements will be achieved via fee in lieu per City of Rockville requirements.

Applicant has also submitted a traffic report in compliance with the City’s Comprehensive Transportation Review (CTR) guidelines. The traffic report concludes, among other things, that there is adequate transportation capacity to accommodate the Project as proposed without further off-site mitigation measures. Other analyses from the traffic report discuss how the Project as proposed meets the warrants for a new signal at the intersection of Public Street A and Frederick Road, that there is adequate queueing space to accommodate northbound Frederick Road traffic turning left into the Property, and that there will be a negligible impact from cut-through traffic into or out of the existing King Farm neighborhood.

Compliance with Section 25.07.01.b.2(a)-(e) of the Zoning Ordinance

Section 25.07.01.b.2(a) through (e) of the Zoning Ordinance provides the findings the Mayor and Council must make before approving the Project Plan Application. The following is an analysis of how the Project Plan Application satisfies these findings:

(a) The Project Plan Application will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project;

The Project Plan Application will enhance the health and safety of persons residing or working in the neighborhood of the Project. The Project will transform the Property’s existing conditions, including an automobile dealership/service center with a new compact, walkable, and visually appealing residential community that will incorporate a significant amount of affordable for-sale dwelling units, open area, public use space, and landscaping. The Project’s proposed townhouse and two-over-two multi-family units will be proximate to existing and proposed transportation infrastructure, including the Shady Grove Metrorail station, as well as a wide range

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of commercial services, employment uses, and community facilities. The Project's future residents will also serve as a new customer base to support nearby retail uses, including the King Farm Village Center.

The Project will enhance multi-modal connectivity with surrounding neighborhoods by incorporating a new 10 foot wide shared use path along Frederick Road, a new street grid with comfortable sidewalks and wide planting strips with street trees, and a pedestrian connection from the Property to the abutting Mattie J.T. Stepanek Park. The new shared use path along the Property's Frederick Road frontage, combined with new trees and other plantings, will provide an attractive and welcoming presence along an important City commercial corridor. The Project will also provide a significant number of new trees on the Property, thereby increasing on-site tree canopy, and offer state-of-the-art stormwater management infrastructure on a site with little or no controls.

The Project is also compatible with adjacent development. Since the filing of the Pre-Application Area Meeting submission, Applicant has replaced some proposed townhouses abutting the King Farm farmstead with new public use space anticipated to include landscaping, playground(s), and other amenities. With respect to the Property's southwestern boundary, the Project has reduced the number of units abutting the King Farm Dog Park, increased rear setbacks, and added additional plantings to bolster the landscaped buffer. Regarding the Property's northwestern boundary, Applicant has been coordinating with WSSC to program its easement area with a proposed natural trail in a meadow setting with plantings and flowers to attract butterflies and birds, all of which will assist in creating a visually appealing screen from the adjacent commercial uses. The Project's new street grid has been intentionally designed to enhance connections with the new link from the Property to Pleasant Drive while discouraging cut-through traffic. Furthermore, the Project offers ample visitor parking spaces (both on-street and off-street) to reduce impact on neighboring communities.

Additionally, the Project advances the adaptive reuse of the adjacent King Farm farmstead by proposing to construct (or provide an equivalent financial contribution to construct) a new approximately 40 space parking lot with an accessible sidewalk connection, an upgraded driveway from Frederick Road across the Property, and undergrounding pole lines on the Property that serve the farmstead. Redevelopment of the Property will also result in increased municipal property tax revenue that can support important City services, facilities, and priorities.

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(b) Be in conflict with the Plan;

Applicant's Project advances many City-wide goals of the City's Draft 2040 Plan.² This includes new housing to meet the wide range of community needs, especially "missing middle" and affordable units, on infill sites in walkable nodes near transit. *See* Draft 2040 Plan, pgs. 37-39, 193-94. Development will provide new housing where amenities and infrastructure currently exist, and the Project's fee-simple MPDUs will help increase homeownership opportunities affordable to first-time homebuyers near the Shady Grove Metrorail station. *See* Draft 2040 Plan, pgs. 194, 204. New residents can support nearby existing retail uses, such as the King Farm Village Center. *See* Draft 2040 Plan, pgs. 47, 182. The Project's new streets will also encourage pedestrian, bicycle, and vehicular connectivity with surrounding neighborhoods in a context-sensitive and appropriate manner. *See* Draft 2040 Plan, pgs. 55-58, 63-65, 79-84 194-95, & 204-06. The Project incorporates attractive and welcoming public use space, open areas, and amenities that offer opportunities for recreation, gathering, and interaction. *See* Draft 2040 Plan, pg. 93. By offering pedestrian-friendly infill development proximate to a wide array of commercial services, employment opportunities, and public transit, the Project will facilitate the use of non-polluting modes of transportation, specifically walking and bicycling. *See* Draft 2040 Plan, pg. 128. Redevelopment of the Property will also facilitate meeting current stormwater management standards on untreated parts of the City with modern infrastructure. *See* Draft 2040 Plan, pgs. 163, 167. Additionally, providing new parking facilities on the King Farm farmstead will help support the adaptive reuse of the historic resource. *See* Draft 2040 Plan, pg. 218.

Annexing the Frederick Road Lots to implement the Project will also serve the City's strategic interests, encourage reinvestment near the Shady Grove Metrorail station, and be accommodated by existing public services. *See* Draft 2040 Plan, pgs. 224-25, 227, 228-29, & 236-38. Similarly, the Project is also harmonious with the Draft 2040 Plan's specific planning area objectives for the King Farm and Shady Grove neighborhood (Planning Area 16). This includes promoting the success of the King Farm Village Center with new nearby customers, taking advantage of opportunities for annexation near the Shady Grove Metrorail station, enhancing the Frederick Road streetscape for walkers and bikers, ensuring the incorporation of park space to meet the needs of new residents, and supporting the reuse of the King Farm farmstead. *See* Draft 2040 Plan, pgs. 372-77.

² The Planning Commission transmitted its recommended Draft 2040 Plan to the Mayor and Council on March 15, 2021.

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- (c) *Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards;*

The Project Plan Application will be served by adequate public facilities in accordance with the City's Adequate Public Facilities Ordinance (codified in Article 20 of the Zoning Ordinance) and Adequate Public Facilities Standards ("APFS").³

Transportation

Under the APFS, the City's Comprehensive Transportation Review ("CTR") is used to determine the adequacy of transportation facilities. In accordance with the CTR, Applicant has submitted a transportation report with the Project Plan Application. The transportation report demonstrates that there are adequate transportation facilities to serve the Project with the implementation of planned site design elements without off-site mitigation measures. The transportation report also notes the Project's intersection of Public Street A and Frederick Road meets the applicable signal warrants in future conditions with the proposed development.

Schools

The Property is served by Rosemont Elementary School, Forest Oak Middle School, and Gaithersburg HS. Under the APFS, a determination of adequate public school capacity is based on 120% or less of the Montgomery County's Planning Board's projected program capacity at each school level using the projected school capacity in five years and a seat deficit of less than 110 seats at the elementary school level and less than 180 seats at the middle school level.

Under a projected unit mix of 253 townhouses and 118 two-over-two units, the Project is anticipated to generate approximately 52 elementary school students, 25 middle school students, and 34 high school students per the student generation rates included in the Annual School Test Guidelines adopted by the Montgomery County Planning Board on December 17, 2020.

³ Under Section 25.20.01.b of the Zoning Ordinance, any development within the City must comply with the APFS.

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The FY2021 School Utilization Report adopted by the Montgomery County Planning Board projects the following utilization in five years⁴:

	Utilization	Seat Surplus/Deficit
Rosemont ES	95.8%	24 Seat Surplus
Forest Oak ES	102.2%	21 Seat Deficit
Gaithersburg HS	116.3%	N/A

These projections establish there is adequate school capacity to accommodate the students generated by the Project in accordance with the APFS:

	Utilization Project	with Seat Surplus/Deficit With Project
Rosemont ES	104.9%	28 Seat Deficit
Forest Oak ES	104.8%	46 Seat Deficit
Gaithersburg HS	117.6%	N/A

Water and Sewer Services

The Property is currently categorized W-1/S-1, which are for areas served by public systems that are either existing or are under construction. Properties designed as W-1/S-1 are eligible to receive public water and/or sewer service. The Property is served by WSSC and a Hydraulic Planning Analysis has been submitted to confirm the adequacy of water and sewer service.

*(d) Constitute a violation of any provision of this Code or other applicable law;
or*

Zoning Ordinance

The Project will comply with the Zoning Ordinance and other provisions of applicable law. The Project proposes dwelling types (townhouses, two-over-two units) that are permitted by right in the MXCD zone. § 25.13.03 of the Zoning Ordinance. As shown on the tabulations included on the submitted plans, the Project complies with the MXCD zone development standards, including building height (75 feet maximum allowed, 55 feet proposed), open area (15% minimum required, 42.8% proposed), public use space within open area (10% minimum required, 14.1%

⁴ See <https://montgomeryplanning.org/wp-content/uploads/2020/12/FY2021-School-Utilization-Report.pdf>

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proposed), width at front lot line (10 feet minimum required, 14 feet minimum proposed), and setbacks (0' required for non-residential land abutting, 0' proposed, with the exception of the rear setback for the community amenity building, which is a minimum of 10' proposed). § 25.13.05.b.1 of the Zoning Ordinance. With regard to the building height provisions specifically applicable in the MXCD zone, the Project proposes a building façade height of 55 feet at the street, pursuant to the Mayor and Council's authority to allow building façade height up to 75 feet at the street as part of a project plan application. § 25.13.05.b.2(b) of the Zoning Ordinance. The Project also seeks approval to provide building facades that exceed 250 feet in length without varying the façade height as a monotonous, monolithic appearance is avoided through architectural design treatments. In accordance with Chapter 13.5 of the City Code, 15% of the total number of dwelling units will be provided as MPDUs (56 MPDUs for 371 total dwelling units). § 25.13.05.c.4 of the Zoning Ordinance; § 13.5-5(e) of the City Code.

A discussion of the Project's general conformance with the additional design guidelines applicable to all of the City's mixed-use zones, as well as the design guidelines specifically applicable in the MXCD zone is attached hereto as Exhibit "A". §§ 25.13.06 & 25.13.07.b of the Zoning Ordinance

The Project also complies with the Zoning Ordinance's parking and loading requirements. All dwelling units will provide the required amount of automobile parking spaces on each residential lot. The Project's community amenity building proposes to provide all vehicular parking entirely off-lot in on-street parking spaces across Public Street C. Good cause exists for this condition as the entire amount of required parking will be conveniently located across the street from the community amenity building in dedicated on-street parking spaces, which is consistent with pedestrian friendly, compact, and traditional neighborhood development design. See § 25.16.03.h of the Zoning Ordinance. Bicycle parking for the community amenity building will be provided on lot. Additionally, the Project includes 290 visitor parking spaces (offered in a combination of driveways and on-street spaces) to achieve a visitor parking ratio of 0.78 automobile parking spaces per residential unit. All proposed parking spaces will adhere to applicable parking design standards of Section 25.16.06 of the Zoning Ordinance.

Additionally, the Project achieves compliance with the applicable provisions of Article 17 of the Zoning Ordinance. All of the Project's proposed public use space is accessible for use and enjoyment by the general public. § 25.17.01.b of the Zoning Ordinance. The Project also provides all required landscape and screening in accordance with the City's Landscaping, Screening and Lighting Manual and the

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Forest and Tree Preservation Ordinance (Chapter 10.5 of the City Code). All trash recycling will be inside a building or screened by enclosures constructed of materials complementary to the building architecture. All new on-site utility lines and cables, including electric, telecommunication, television (including cable), transformers, and equipment cabinets will be installed underground. §§ 25.17.03.a & b of the Zoning Ordinance. Furthermore, all lighting will be provided in accordance with the requirements and guidelines of the Landscaping, Screening and Lighting Manual. § 25.17.04.b of the Zoning Ordinance. All sidewalks outside the right-of-way will have a minimum width of 6 feet. § 25.17.05 of the Zoning Ordinance.

Applicant seeks a waiver pursuant to Section 25.21.07 of the Zoning Ordinance to provide less than three trees on each residential lot per Section 25.21.21.b of the Zoning Ordinance. Undue hardship will result from strict compliance and a waiver is necessary so that substantial justice may be done. As shown on the plans submitted with the Project Plan Application, the Project will provide slightly less than two trees per residential lot in the aggregate across the Property. Given the infill, compact, walkable, urban-inspired, transit-oriented nature of the Project, providing three trees on each individual residential lot is unreasonable. The Project incorporates a significant number of new trees appropriately disbursed throughout the site, especially when compared to existing conditions, and considerably improves the magnitude of current tree canopy on the Property. Furthermore, the Project incorporates more than the required amount of open area and public use space, most of which will be generously landscaped with new trees – especially in the Project's amenity spaces and along Frederick Road. Thus, approving the waiver will not impair public health, safety, aesthetics, or general welfare and the waiver will not be contrary to the intent and purpose of the Draft 2040 Plan or the Zoning Ordinance.

Other Applicable Law

The Project Plan Application includes a preliminary forest conservation plan, which demonstrates conformance with the applicable requirements of the Forest and Tree Preservation Ordinance (Chapter 10.5 of the City Code). As shown on the submitted forest conservation plan, the Project proposes achieving a portion of the afforestation requirement on-site with payment of a fee-in-lieu, meeting the significant tree replacement requirement, and exceeding minimum tree cover requirements. The Project seeks removal of two specimen trees on the Property and the Project Plan Application includes a letter justifying the request in accordance with Chapter 10.5 of the City Code.

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The Project Plan Application also includes a pre-application stormwater management concept package establishing compliance with the applicable requirements of Chapter 19 of the City Code (Sediment Control and Stormwater Management) through achievement of certain target treatment, providing certain volume in ESD facilities, achievement of certain treatment in structural facilities to supplement the required volume and treatment, and payment of a monetary contribution in lieu of certain on-site measures.

Regarding adherence to Chapter 21 of the City Code (Streets, Roads, Right-of-Way, and Public Improvements) Applicant seeks waivers pursuant to Section 21-42 of the Code. Specifically, Applicant seeks a waiver to modify the City's standard secondary residential road section – parking on both sides (Detail 45A) for Public Street A by removing on-street parking, providing wider sidewalks and planting strips, and including an additional one foot area adjacent to the sidewalks on both sides of the roadway within the right-of-way in lieu of a one foot PIE outside the right-of-way. Applicant also seeks waivers to modify the City's standard secondary residential road section – parking on one side (Detail 45C) for the Project's other public streets by providing wider planting strips and including an additional one foot area adjacent to the sidewalks on both side of the roadway within the right-of-way in lieu of a one foot PIE outside the right-of-way. These waivers are appropriate to accommodate transit-oriented, infill, compact, and walkable residential development along the City's main Maryland Route 355 commercial corridor.

(e) Adversely affect the natural resources or environment of the City or surrounding areas.

The Project will enhance the natural resources or environment of the City or surrounding areas in numerous ways. The Project will provide new residential homes, including additional MPDUs, near existing and future transportation infrastructure, including the Shady Grove Metrorail station. The Project also incorporates a new 10 foot wide shared use path along the Property's Frederick Road frontage, as well as a new street grid with sidewalks and ample planting strips and street trees. These improvements, combined with the Property's proximity to a wide range of retail, employment, and community uses, will promote additional pedestrian and bicycle activity in the area. The Project will also plant a significant number of new trees on the Property, which will increase tree canopy, improve air quality, and reduce the heat island effect. Additionally, the Project includes modern stormwater management facilities on a site with little or no stormwater controls.



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Conclusion

The Project, as proposed in Project Plan, will promote the health and safety of persons residing or working in the neighborhood of the proposed development, advance the City's comprehensive planning goals, be accommodated by adequate public facilities, adhere to relevant provisions of the City Code and applicable laws, and protect the natural resources or environment of the City or surrounding areas. See Sec. 25.07.01.b.2 of the Zoning Ordinance.

Applicant looks forward to working with the City to advance the Project through the development review process.

Sincerely,

MILES & STOCKBRIDGE P.C.

Barbara A. Sears / KDM

Barbara A. Sears

Phillip A. Hummel / KDM

Phillip A. Hummel

cc: Bob Youngentob, EYA
Wyndham Robertson, EYA
Aakash Thakkar, EYA
Jason Sereno, EYA

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Exhibit "A" Design Guidelines Discussion

25.13.06 – Additional Design Guidelines

a. *Purpose.* It is the purpose of this section to establish guidelines that will promote the highest quality of development in the Mixed-Use Zones. New development or redevelopment should be consistent with the intent and purpose of the following guidelines.

b. *Aesthetic and Visual Characteristics for All Zones*

1. *Facades and Exterior Walls Including Sides and Backs* – Buildings should be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character, and scale. It is recommended that building walls greater than 100 feet long include projections, recessions, or other treatments sufficient to reduce the unbroken massing of the façade along all sides of the building facing public streets.

(a) Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least 60 percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.

(b) Buildings should include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs.

Response: The townhome and multi-family buildings have been composed with many different façade designs intended to provide variety and articulation in the streetscape. Each unique façade design utilizes various fenestration patterns, multi-story masonry

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bays, multi-story trim bays, and cantilevered bays to create visual interest and avoid massive scale uniformity. The townhome entries will also have a variety of detailing and depths resulting in a more articulated composition.

2. *Roofs* – Roof design should provide variations in rooflines where appropriate and add interest to, and reduce the massive scale of, large buildings. Roof features should complement the architectural and visual character of adjoining neighborhoods. Roofs should include two (2) or more roof planes. Parapet walls should be architecturally treated to avoid a plain, monotonous look. For energy-saving purposes, roof design should also include a light color surface or be planted with vegetation.

Response: The townhome roofs have been designed with a more contemporary flat roof form with a variety of cornice treatments and heights, utilizing light colored trim consistent with the architectural detailing of the surrounding community.

3. *Materials and Color*

(c) *General Provisions* - Buildings should have exterior building materials and colors that are compatible with materials and colors that are used in adjoining neighborhoods. Certain types of colors should be avoided such as fluorescent or metallic, although brighter colors may be considered at the discretion of the Planning Commission.

(d) *Materials Not Desired* - Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials should be avoided unless the exterior surface is covered.

Response: The townhome and two-over-two multi-family buildings have been composed with a variety of color and material schemes intended to be compatible with the surrounding community, drawing influences from the more traditional architectural styles. While the proposed architecture is more contemporary in style, the material schemes will be based in more classic palettes with the use of multiple bricks in the red and brown ranges, and horizontal siding in lighter tones and various

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sizes. The trim materials will also be light toned with a predominance of white trim ensuring compatibility with the surround community. The optional loft level will be veneered in vertical siding consistent with a more contemporary theme and providing an accent to the overall façade composition. The color and material schemes will also be pre-determined on a lot-by-lot basis by Applicant to ensure variety in the final built community.

4. *Items Allowed Not Facing a Public Street* - The following items are only allowed either on sides not facing a public street or in the rear yard:

- (a) Window and wall air conditioners;
- (b) Electric utility meters;
- (e) Air conditioning compressors; and
- (d) Irrigation and pool pumps;

This provision does not apply to single-unit detached, semi-detached, attached or townhouse dwellings that may be located in a Mixed-Use Zone.

Response: Although this provision does not apply to the Project due to its location within the MXCD zone, all utility meters will be located on the rear facades or within enclosures and the air conditioning compressors will be located on the rooftops so as to not be visible from the street level, or located in the alleyways serving the two-over-two multi-family buildings. All exterior penetrations will also be located on the rears or roofs wherever possible, and painted to match the exterior building material.

5. *Entryways* – Building design must include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly visible customer entrances.

Response: The townhome and two-over-two multi-family buildings have been detailed with entries that have a variety of detailing and depths resulting in a more articulated composition. The entry doors will also be painted in accent colors complimenting the home's specific color scheme.

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6. *Screening of Mechanical Equipment* – Mechanical equipment must be screened to mitigate noise and views in all directions. If roof-mounted, the screen must be designed to conform architecturally to the design of the building either with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.

Response: The air conditioning compressors will be located on the rooftops so as to not be visible from the street level, or located in the alleyways serving the two-over-two multi-family buildings. The mechanical equipment serving the community amenity building will be screened as necessary.

c. *Site Design and Relationship to Surrounding Community*

1. *Vehicular Access* – In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access only from an arterial, major, or business district road as designated in the Plan.

Response: This provision is proposed to be removed in a pending Zoning Text Amendment as this issue is already addressed through other City standards.

2. *Buffers* – Each site must provide visual and noise buffers to nearby residential uses. This can be accomplished by providing a substantial building setback from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to any property line where it adjoins residential uses or zones. The landscape buffer should include a variety of tree types at regular intervals with groupings of trees to provide noise, light, and visual screening. No other uses, such as, but not limited to, parking or storage, are permitted within the buffer area.

Response: The Project provides effective buffers to abutting development. This is achieved through, among other things, replacing certain proposed townhouses abutting the King Farm farmstead shown in the Pre-Application Meeting submission with public use space, amenities, and additional landscaping, increasing the rear setbacks of certain townhouse units abutting the King Farm Dog Park to provide additional landscape

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screening, and enhancing the WSSC easement area on the Property's northwestern boundary with a natural trail system, new plantings, and open lawn areas.

3. Outdoor Sales and Storage

(a) *General Standards* - Areas for outdoor sales of products may be permitted if they are extensions of the sales floor into which patrons are allowed free access. Such areas must be incorporated into the overall design of the building and landscaping and must be permanently defined and screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors to those that are predominantly used on the building facade. Outdoor sales areas shall be considered as part of the gross floor area of the retail establishment, except for motor vehicle and trailer sales.

Response: The Project does not propose areas for outdoor sales of products.

(b) *Prohibition of Certain Sales and Storage* - Outdoor storage of products in an area where customers are not permitted is prohibited. This prohibition includes outdoor storage sheds and containers. Outdoor storage of motor vehicles in connection with a motor vehicle sales business is allowed.

Response: The Project does not propose outdoor storage of products.

4. Trash Recycling, Waste Oil/Grease Collection Area

(a) *Location* - Trash, recycling, and waste oil/grease collection areas must be located at least 50 feet from any residential use, residentially zoned property, or street that is adjacent to the site, unless such operations are located entirely within an enclosed building or underground. All such areas must be properly covered or secured.

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Response: The Project does not include any community-wide trash, recycling, or waste oil/grease collection areas.

(b) *Screening* - All trash recycling, and waste oil/grease collection areas that are not within an enclosed building or underground must be properly secured and covered and screened or recessed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas must conform to the predominant materials used on the site.

Response: The storage of residential trash and recycling will be properly secured within the residential unit's private garages with relocation to the private alleys in the rears on trash and recycling collections days only.

5. *Parking Lots and Structures*

(a) *Parking Area Standards* - Parking areas must provide safe, convenient, and efficient access. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping should be used to define parking areas, primary vehicular drives, and pedestrian areas in an aesthetically and environmentally pleasing manner.

Response: All required parking associated with the Project's residential dwelling units will be provided on-lot in garages and driveways. Applicant's proposal to provide all parking associated with the Project's community amenity building entirely off-lot is supported by good cause as the required number of parking spaces will be conveniently located across the street on Public Street C. This proposal is consistent with walkable, compact, and traditional neighborhood design. All on-street spaces will be enhanced by ample planting strips with street trees.

(b) *Parking Structure Appearance* - Parking structure facades should achieve the same high quality design and appearance as the buildings they serve. The parking structures' utilitarian appearance should be minimized by utilizing effective design

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treatments such as colonnades, planted (“green”) walls, arcades, awnings, street furniture and other public amenities. Compatible materials, coordinated landscaping and screening, appropriate building color, sensitive lighting, and signage should all be considered for garage facades.

Response: The Project does not propose any structured parking.

6. *Pedestrian and Bicycle Flows* – Each site must provide for pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development of the project. Continuous internal pedestrian walkways, no less than six feet (6’) in width should be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Sidewalks should also connect retail uses to transit stops on or off-site and to nearby residential neighborhoods. Sidewalks should be provided along the full length of any building where it adjoins a parking lot. On-site bicycle travel must be provided in accordance with Section 25.16.06.

Response: The Project provides a new network of internal streets with comfortable sidewalks, wide planting strips, street trees, and on-street parking lanes to promote pedestrian and bicycle circulation. All sidewalks outside the right-of-way will be a minimum of six feet wide. The Project also proposes a 10 foot wide shared used path along the Property’s Frederick Road frontage to increase walking and cycling linkages. The Project’s proposed connection to Pleasant Drive will also encourage pedestrian and bicycle connections to the nearby King Farm Village Center. Additionally, Applicant is coordinating with WSSC to enhance their existing easement area at the Property’s northwestern boundary with public use space including a natural trail system, plantings, and open lawn areas.

7. *Central Features and Community Spaces* – Development should provide attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer drop-off/pick-up

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points that may be provided should also be integrated into the design and should not conflict with traffic lanes or pedestrian paths. Special design features such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces should anchor pedestrian ways. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these areas.

Response: The Project incorporates a thoughtful, attractive, and inviting system of public open spaces with multiple opportunities for recreation, gathering, and relaxation. The centerpiece is a large and consolidated area in the center of the Project, which is anticipated to include the community amenity building and pool, open lawns, outdoor seating areas, and a fire pit. Open spaces are aligned along a central axis on the Property from street trees along Public Street A, a mews space between Public Streets B and C, the consolidated area with the community amenity space/pool/public use space in the center of the site, and other public use space with a connection to Mattie JT Stepanek Park. The area of the Property abutting the King Farm farmstead will be improved with new landscaping, public use space, and amenities such as playgrounds, and public art. Applicant is coordinating with WSSC to enhance their existing easement area at the Property's northwestern boundary with public use space including a natural trail system, plantings, and open lawn areas.

8. Delivery and Loading Spaces, Hours of Operation

(a) *Design* - Delivery and loading operations must be designed in accordance with the provisions of Article 16 and located so as to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations must not be permitted between 10 p.m. and 7 a.m. For good cause shown, the Planning Commission may permit deliveries at additional times provided the applicant submits evidence that sound barriers between all areas for such operations effectively reduce emissions to a level of 55 dB or less, as measured at the lot line of any adjoining property. Delivery and loading areas should be

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substantially set back from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to the delivery and loading area where it adjoins residential uses or zones. The landscape buffer should include evergreen shrubs and/or trees plus deciduous canopy trees at regular intervals, as appropriate, to provide light, and visual screening. If the delivery and loading spaces are located within an enclosed building or underground, no such setback and buffer area shall be required.

Response: The Project does not include any delivery and loading facilities. One on-street space will be used as a drop-off/loading space. The Project's community amenity building will not require regular deliveries after commencement of occupancy. Deliveries to the community amenity building will be no more frequent nor require any larger trucks than the Project's residential units.

(b) *Parking of Delivery Trucks* - Delivery trucks must not be parked in close proximity to or within a designated delivery or loading area during non-delivery hours with motor and/or refrigerators/generators running, unless the area where the trucks are parked is set back at least 50 feet from residential property to mitigate the truck noise.

Response: Any delivery trucks will park in driveways or in on-street spaces as the Project does not include any delivery and loading facilities. One on-street space will be used as a drop-off/loading space for the community amenity building.

(c) *Screening* - The delivery and loading areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen must be of masonry or other suitable opaque material and at least ten feet (10') high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock.

Response: The Project does not propose any delivery and loading areas, but the community amenity building will be surrounded by

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attractive and generous landscaping, including street trees, planted plaza areas, and open lawns.

9. *Ancillary Uses* – The applicant must demonstrate that any ancillary uses will not have negative impacts on adjacent residential uses, residentially zoned properties, or adjacent properties. Any ancillary use should be oriented to face away from any residential use or residentially zoned property that is adjacent to the site.

Response: The Project does not propose any ancillary uses other than the community amenity building/pool, which will enhance the Project's new dwelling units and will not be visible from surrounding abutting properties.

10. *Noise Abatement* – A noise mitigation plan must be provided that indicates how the noise initiated by the land use will be mitigated to comply with noise regulations applicable in the City of Rockville. This includes compliance with the noise regulations set forth in Chapter 31B of the Montgomery County Code.

Response: The Project will comply with all applicable noise regulations.

11. *Outdoor Lighting* – Outdoor lighting shall be in conformance with the Landscaping, Screening and Lighting manual.

Response: The Project's outdoor lighting will be in conformance with applicable standards from the Landscaping, Screening and Lighting Manual.

12. *Landscaping* – Landscaping shall be in conformance with the Landscaping Screening and Lighting manual.

Response: The Project will be in conformance with applicable standards from the Landscaping, Screening and Lighting Manual

25.13.07 – Special Design Regulations for Individual Mixed-Use Zones

* * *

b. *Mixed-Use Corridor District Zone (MXCD)* – This zone is intended for areas along major highway corridors in areas near the MXTD Zone. It allows for

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moderate density development of retail, office, service, and residential uses. Because of the nature of the locations where it is applied, the zone provides some flexibility in the siting of buildings relative to major highways to accommodate service drives and required parking.

1. *Building Location* – In order to meet the intent of the Plan, buildings in the MXCD Zone should be located at the front property line or the build-to line where established by the Plan. Access should be to the rear, via alleys with access from the side street(s).

Response: All of the Project's two-over-two multi-family units and many of the Project's townhouses will be served by rear-loading alleys. Some of the Project's townhouses along the perimeter of the Property will be served by front-loaded driveways in response to the Property's grade, as well as the desire to provide space for appropriate setbacks and landscaped buffers in lieu of alleys.

2. *Uses by Floor* – The ground floor must contain retail or service uses dealing directly with the public along those streets designated in the Plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor should normally have a ceiling height of at least 15 feet. At the time of site plan review or Project Plan review, the Approving Authority may consider a lower ceiling height if appropriate in the particular circumstance. The upper floors may be additional commercial, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses.

Response: The Project proposes entirely residential uses and does not include any ground floor retail or service uses. Applicant seeks approval of a lower ceiling height of less than 15 feet due to the entirely residential nature of the Project.

3. *Facades* – The façade design must be consistent with the standards set forth in subsection 25.13.05.b.2(b). Where the façade height exceeds 35 feet, the façade should include an expression line above the first floor level and a defined cornice line at the top of the façade wall.

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Response: Applicant seeks for the facades of the Project's buildings to not be required to include an expression line above the first floor level but most façade designs do include brick accent courses or water tables. The facades also have a variety of materials that are located to provide a variety of heights over the entirety of the building. The facades are also designed with a well-defined cornice in a variety of detailing.

4. *Fenestration* – Generally, fenestration of the stories above the ground floor should be by individual framed windows. Continuous strip windows may be allowed by the Approving Authority if they are used to maintain compatibility with existing contiguous projects.

Response: Fenestration of the stories above the ground floor will be framed by individual windows.

5. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of Section 25.17.05.

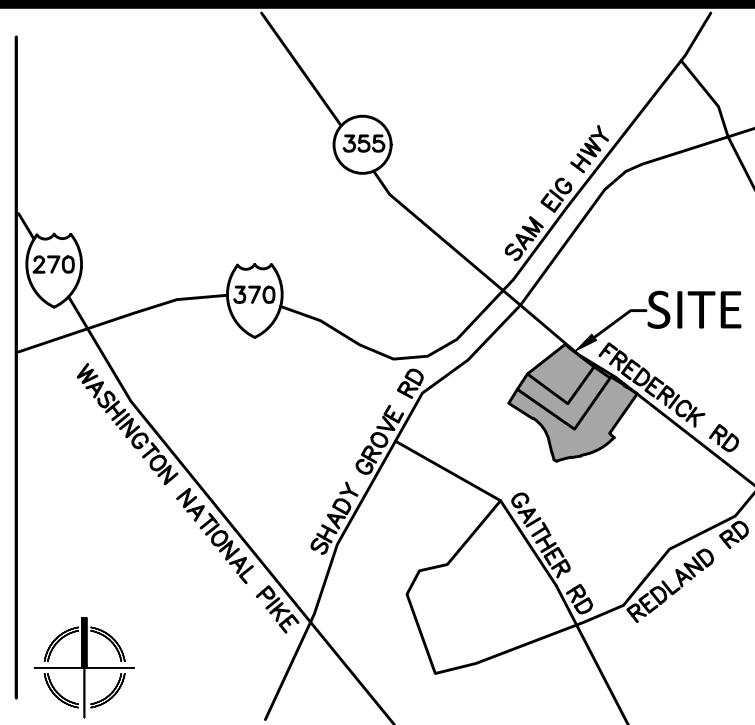
Response: Sidewalks outside the right-of-way all have minimum 6 foot widths.

6. *Parking* – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated in a similar manner as the primary building facades. All parking at the sides or rear must be screened to prevent vehicle headlights from shining into adjoining residential properties.

Response: All required parking associated with the Project's residential structures will be provided on-lot in garages and driveways. Applicant's proposal to provide all of the parking associated with the Project's community amenity building entirely off-lot is supported by good cause as the required number of parking spaces will be conveniently located across the street on Public Street C. This proposal is consistent with walkable, compact, and traditional neighborhood design. There will also be

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ample on-street parking available for visitors. One on-street space will be used as a drop-off/loading space for the community amenity building.



ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER, LANDSCAPE ARCHITECT
& CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
James Buchheister, RIA
Robert Tilson, FALSA, PLA
Logan Kelso, P.E.

1. THE PROPERTY IS 20.58 ACRES.
2. THE SUBJECT PROPERTY COMPRISES THE FOLLOWING PROPERTIES:
 - PARCEL 1979, TAX MAP G513, TAX ACCT. NO. 09-00772335 (MONTGOMERY COUNTY)
 - PARCEL 170, TAX MAP G512, TAX ACCT. NO. 09-03126715 (CITY OF ROCKVILLE)
3. PARCEL 1979 IS CURRENTLY ZONED GR-1.5 H-45' AND PARCEL 170 IS ZONED MXCD. UPON APPROVAL OF THE ANNEXATION OF 1979 INTO THE LIMITS OF THE CITY OF ROCKVILLE, THE ZONING OF THE COMBINED PROPERTY WILL BE MXCD.
4. THE SITE IS LOCATED ON WSSC MAP 221N/W08.
5. BOUNDARY AND TOPOGRAPHIC DATA BY WIKI MARYLAND, SEPTEMBER 2020.
6. THERE IS NO 100 YEAR FLOODPLAIN LOCATED ON THE SITE.
7. THERE IS NO STREAM VALLEY BUFFER LOCATED ON THE SITE.
8. THERE ARE NO WETLANDS LOCATED ON THE SITE.

PP-1.0	COVER SHEET
PP-2.0	PROJECT SITE PLAN - EXISTING CONDITIONS
PP-2.0	PROJECT SITE PLAN - COMPOSITE
PP-2.1	PROJECT SITE PLAN - 30 SCALE
PP-2.2a	PROJECT SITE PLAN - 30 SCALE
PP-2.2b	PROJECT SITE PLAN - 30 SCALE
PP-2.3	PROJECT SITE PLAN - 30 SCALE
PP-2.4	PROJECT SITE PLAN - 30 SCALE
PP-3.0	ROAD SECTIONS
L-4.0	CONCEPT LANDSCAPE PLAN - COMPOSITE
L-4.1	CONCEPT LANDSCAPE PLAN - 30 SCALE
L-4.2	CONCEPT LANDSCAPE PLAN - 30 SCALE
L-4.3	CONCEPT LANDSCAPE PLAN - 30 SCALE
L-4.4	CONCEPT LANDSCAPE PLAN - 30 SCALE
L-4.5	OPEN AREA AND PUBLIC USE SPACE PLAN
L-4.6	STREET TREE LOT FRONTAGE ANALYSIS
L-4.7	OPEN SPACE CIRCULATION CONCEPT
A100	STREETSCAPE RENDERING
A101	14', 16', and 20' TOWNHOME ELEVATIONS
A102	24' and STACKED TOWNHOME ELEVATIONS
A110	14', 16', and 20' FLOOR PLANS
A111	24' and STACKED TOWNHOME FLOOR PLANS
A200	CLUBHOUSE FLOOR PLAN
A201	CLUBHOUSE ELEVATION
FDA-1.0	FIRE ACCESS PLAN - COMPOSITE
FDA-1.1	FIRE ACCESS PLAN - 30 SCALE
FDA-1.2	FIRE ACCESS PLAN - 30 SCALE
FDA-1.3	FIRE ACCESS PLAN - 30 SCALE
FDA-1.4	FIRE ACCESS PLAN - 30 SCALE

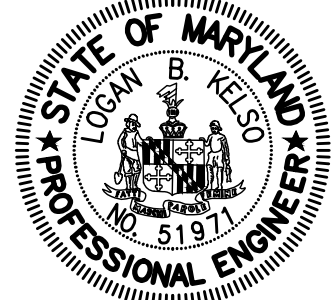
EXH-1.0	MD-355/FUTURE BRT ALIGNMENT EXHIBIT
EXH-2.0	PARKING EXHIBIT
EXH-3.0	MPDU EXHIBIT
EXH-4.0	CLUBHOUSE CONCEPT PLAN - 30 SCALE
EXH-5.0	ILLUSTRATIVE SECTIONS - A, C-1 & C-2
EXH-5.1	ILLUSTRATIVE SECTIONS - B (OPTION 1, 2 & 3)
EXH-5.2	ILLUSTRATIVE SECTIONS - D, E & F
EXH-5.3	ILLUSTRATIVE SECTIONS - 55' & 75' BUILDING HEIGHTS
EXH-5.4	DOG KISS BUFFER EXHIBIT
EXH-6.1	SUV TURNING MOVEMENTS
EXH-6.2	SU-30 TURNING MOVEMENTS
EXH-6.3	GARBAGE TURNING MOVEMENTS
EXH-6.4	FIRE TRUCK TURNING MOVEMENTS

GEP 1 OF 7	GRADE ESTABLISHMENT PLAN STREET A
GEP 2 OF 7	GRADE ESTABLISHMENT PLAN STREET B
GEP 3 OF 7	GRADE ESTABLISHMENT PLAN STREET B
GEP 4 OF 7	GRADE ESTABLISHMENT PLAN STREET C
GEP 5 OF 7	GRADE ESTABLISHMENT PLAN STREET D
GEP 6 OF 7	GRADE ESTABLISHMENT PLAN STREET E
GEP 7 OF 7	GRADE ESTABLISHMENT PLAN STREET F

SWCO-1	PRE-APPLICATION SWM FORESTRY OVERLAY PLAN COVER
SWCO-2	PRE-APPLICATION SWM FORESTRY OVERLAY PLAN
SWCO-3	PRE-APPLICATION SWM FORESTRY OVERLAY PLAN - 30 SCALE
SWCO-4	PRE-APPLICATION SWM FORESTRY OVERLAY PLAN - 30 SCALE
SWCO-5	PRE-APPLICATION SWM FORESTRY OVERLAY PLAN - 30 SCALE
SWCO-6	PRE-APPLICATION SWM FORESTRY OVERLAY PLAN - 30 SCALE

KING BUICK
4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

PROFESSIONAL SEAL



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND.
ENGINEER'S NAME: LOGAN B. KELSO, P.E.
LICENSE No.: 51971
EXPIRATION DATE: DECEMBER 10, 2021

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DATE ISSUED: 9/14/2

PROJECT VM5042
DRAWING NO. PP-1.0

SHEET NO.



**"FOR LOCATION OF UTILITIES CALL
8-1-1 or 1-800-257-7777 OR LOG ON TO
[www.missittility.net](http://www.mississittility.net)
48 HOURS IN ADVANCE OF ANY
WORK IN THIS VICINITY"**

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for coordinating all activities with requirements of Chapter 36A of the Montgomery County Code.

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER, LANDSCAPE ARCHITECT
& CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
James Buchheister, RLA
Robert Tilson, FALSA, PLA
Logan Kelsø, P.E.

[illegible]

4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

PROJECT
SITE PLAN -
EXISTING
CONDITIONS

PJT2021-00013



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND.
ENGINEER'S NAME: LOGAN B. KELSO, P.E.
LICENSE No.: 51971
EXPIRATION DATE: DECEMBER 10, 2021

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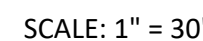
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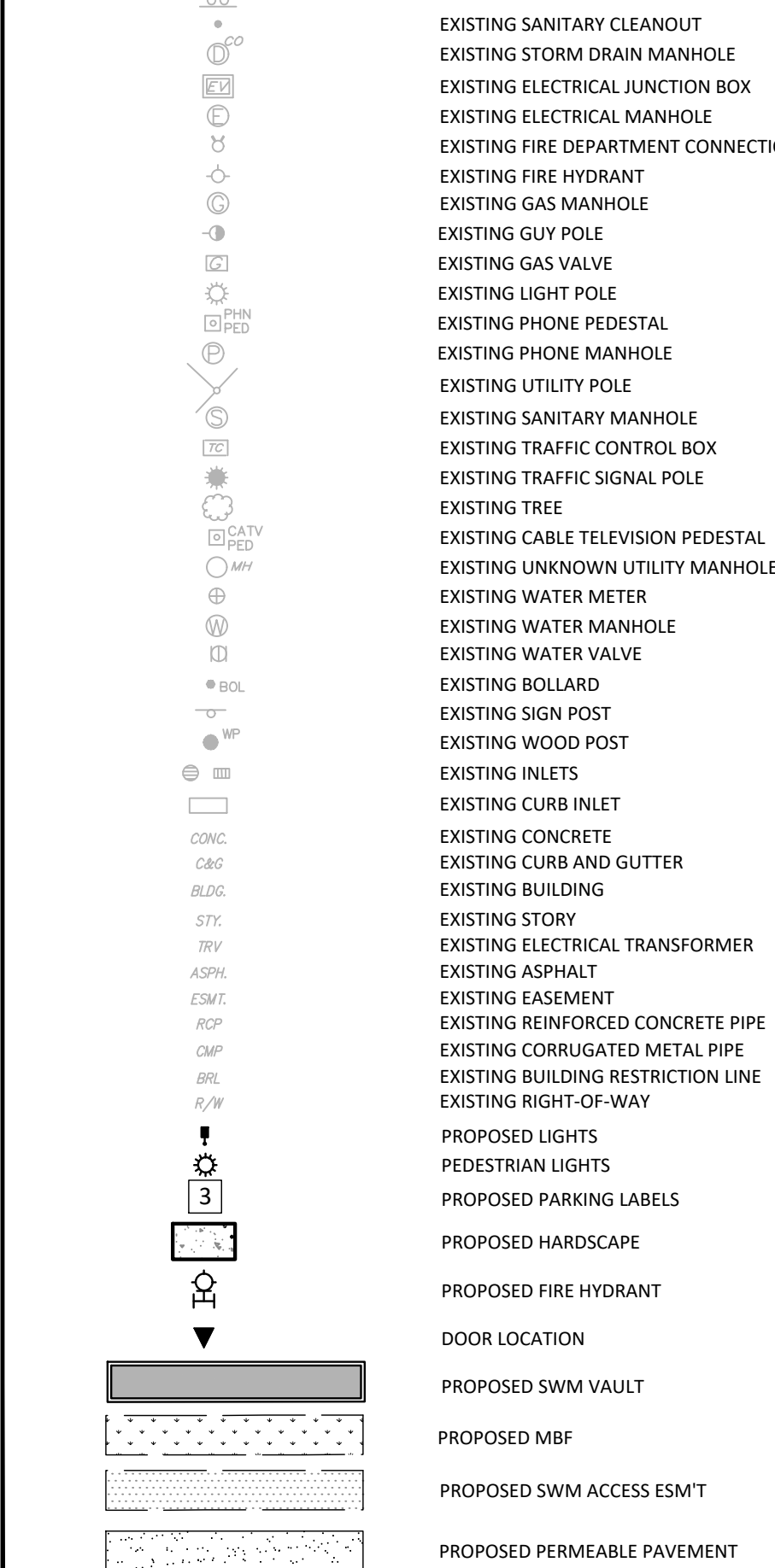
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PROJECT VM50420
DRAWING
NO.

SHEET NO. PP-1.2



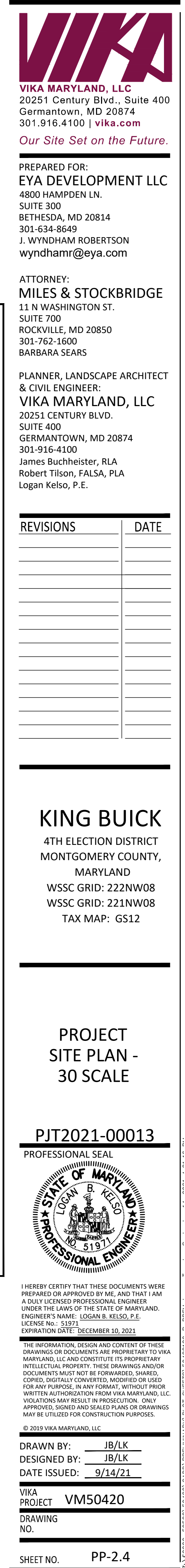




LAYOUT: PP-2.2a, Plotted By: buchheister







Our Site Set on the Future.

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER & CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
Michael Goodman, P.E.
Logan Kelso, P.E.

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WSSC GRID: 222NW08
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TAX MAP: GS12

PJT2021-00

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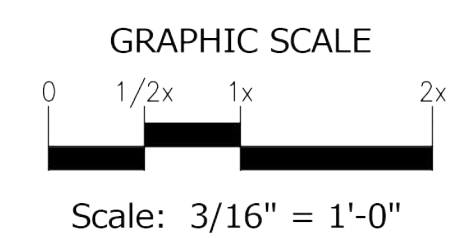
SHEET NO. A100

SHEET NO. A100

Packet Pg. 146

An architectural rendering of a row of townhouses. The row consists of several units with different exterior finishes: some are light beige with white trim, others are dark red brick, and some are light grey stone. The windows are multi-paned and some have small balconies. The townhouses are set against a clear blue sky. There are green trees and shrubs in front of the buildings, and a small tree is on the far left. The ground in front of the townhouses is a mix of green grass and paved areas.

Illustrative Streetscape Rendering



PREPARED FOR:
EYA DEVELOPMENT LLC
4800 HAMPDEN LN.
SUITE 300
BETHESDA, MD 20814
301-634-8649
J. WYNDHAM ROBERTSON
wyndhamr@eya.com

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER & CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
Michael Goodman, P.E.
Logan Kelso, P.E.

[illegible]

4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

SCHEMATIC
STREETSCAPE
ELEVATIONS

PJT2021-00

PROFESSIONAL SEAL

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DESIGNED BY: jfmcc

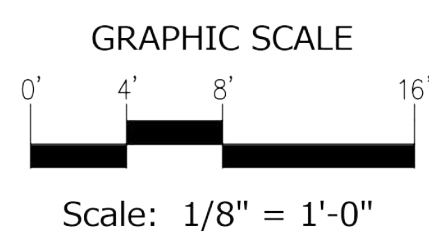
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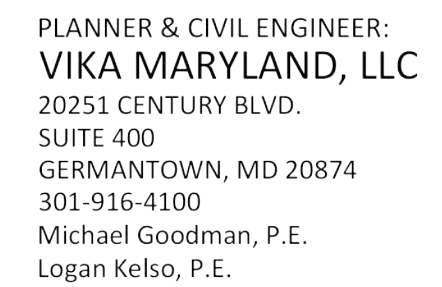
VIKA
PROJECT VM50420DRAWING
NO.

SHEET NO. A101

Attachment 10.c: Supporting Exhibits 1 (3869 : Public Hearing on PJT2021-00013 16200 Frederick Rd- King Buick)

F:\Dept\LandAcquisition\LongPursuit\King_Form\Architecture\2-Elevations\DWG\KB_TH Streetscope(v2).dwg ~ Thursday, April 29, 2021 1:51:50 PM





KING BUICK
4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

PJT2021-00

PROFESSIONAL SEAL

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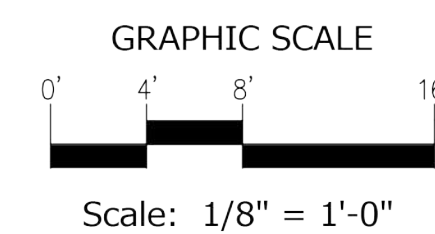
VIKA
PROJECT **VM50420**

DRAWING
NO.

SHEET NO. **A102**

SHEET NO. A102

24ft Wide Townhomes



[illegible]

4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND

WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

PJT2021-00

PROFESSIONAL SEAL

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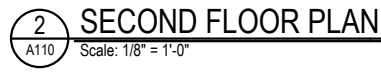
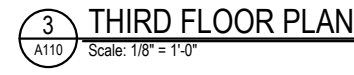
VIKA
PROJECT VM50420

DRAWING
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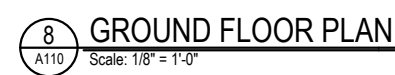
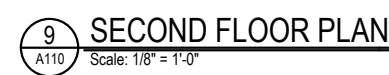
SHEET NO. **A110**

Packet Pg. 149

PJT2021-00013



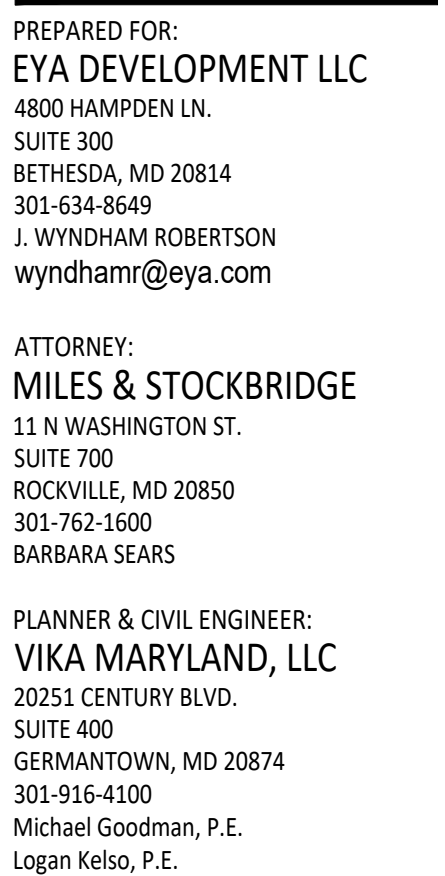
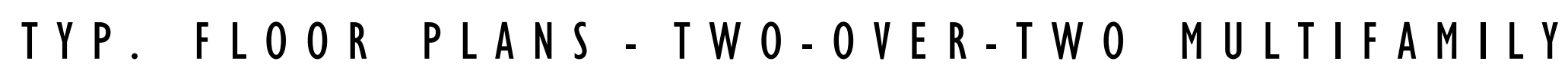
TYP. FLOOR PLANS - 14 FT.



GRAPHIC SCALE

0' 4' 8' 16'

Scale: $1/8" = 1'-0"$

[illegible]

SCHEMATIC
STREETSCAPE
ELEVATIONS

PJT2021-00
PROFESSIONAL SEAL

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DRAWN BY: jfmc
DESIGNED BY: jfmc
DATE ISSUED: APR. 2021

VIKA
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SHEET NO. A111



VIKA MARYLAND, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com

Our Site Set on the Future.

PREPARED FOR:
EYA DEVELOPMENT LLC
4800 HAMPDEN LN.
SUITE 300
BETHESDA, MD 20814
301-634-8649
J. WYNDHAM ROBERTSON
wyndhamr@eya.com

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER & CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
Michael Goodman, P.E.
Logan Kelso, P.E.

REVISIONS	DATE
PROJECT SITE PLAN	4/30/21

KING BUICK

4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

**CLUBHOUSE
FLOOR PLAN**

PJT2021-00

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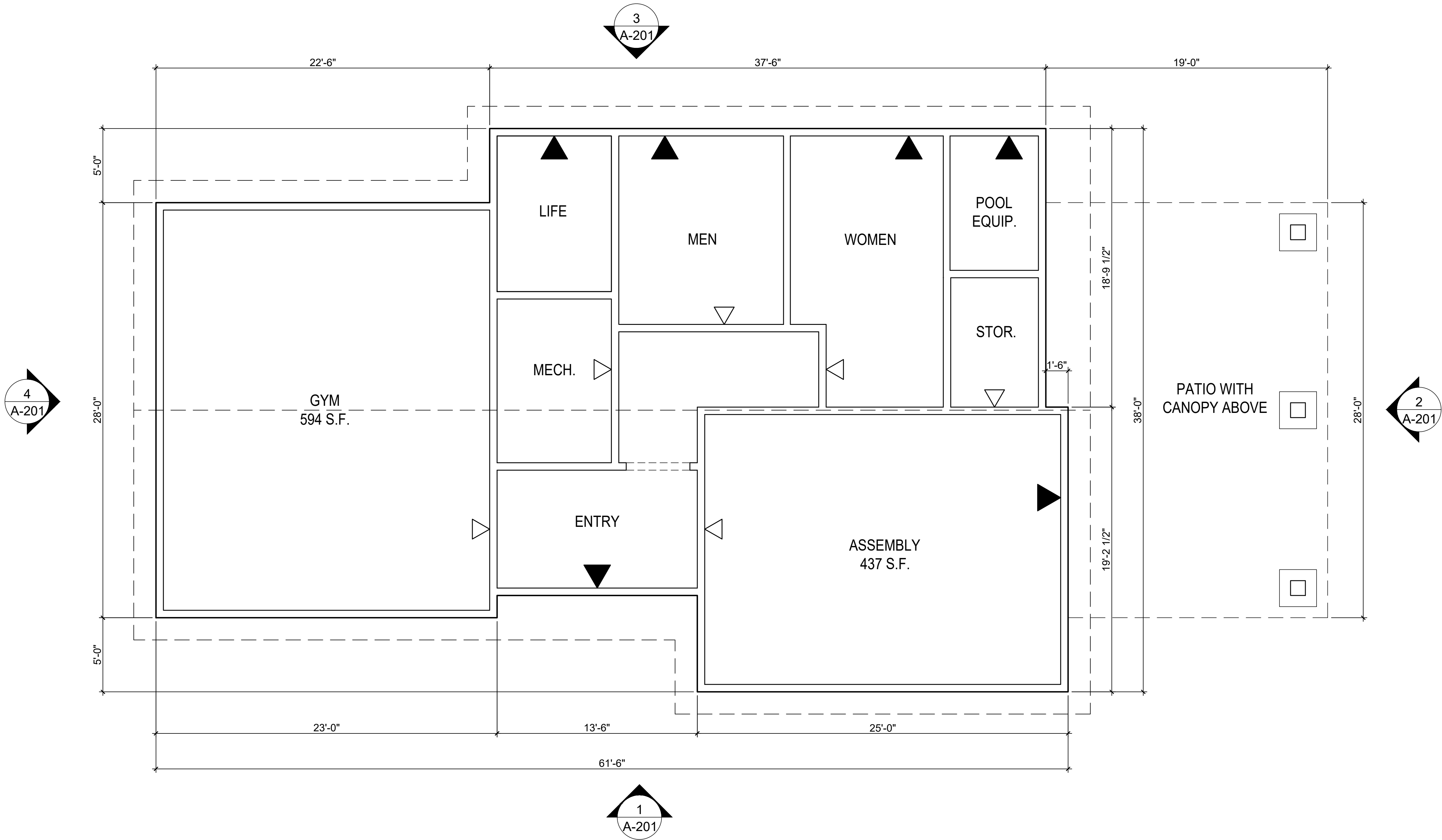
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DATE ISSUED: APR. 2021

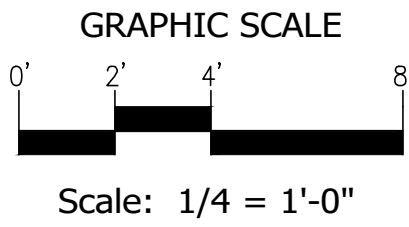
VIKA
PROJECT **VM50420**
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NO.

SHEET NO. **A200**

Planning and Development Services
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8/24/2021
PJT2021-00013

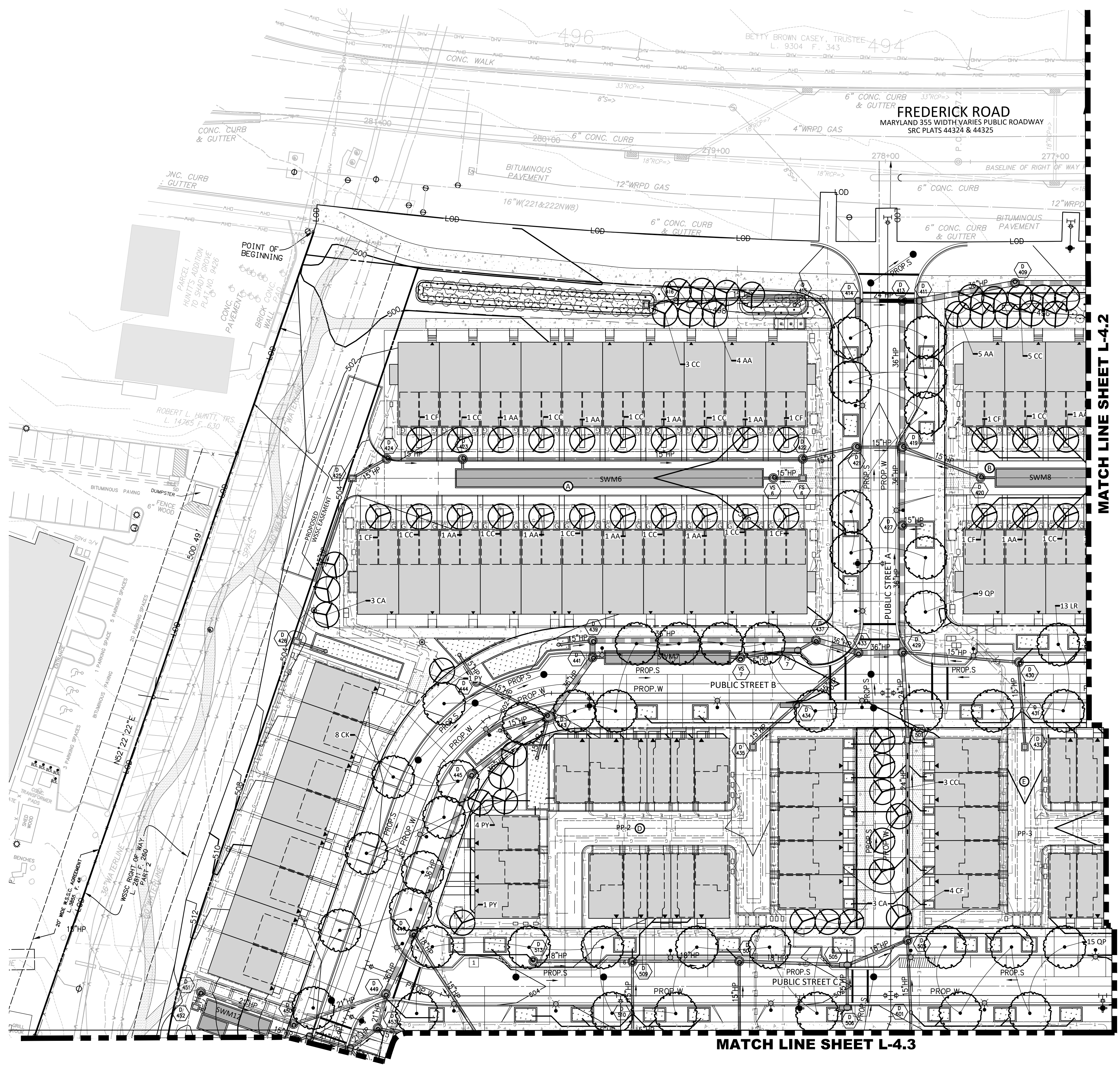


1 FLOOR PLAN
A200 Scale: 1/4"=1'-0"

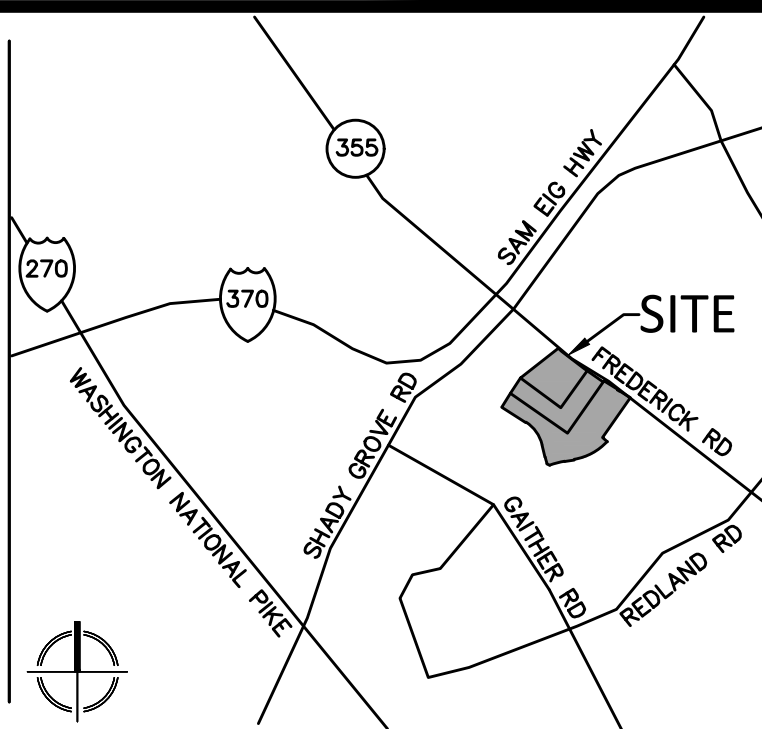








Planning and Development Services
Received
8/24/2021
PJT2021-00013



VICINITY MAP
SCALE: 1" = 2000'

PLAN LEGEND

PROPERTY LINES

PROPOSED STREET TREES

PROPOSED ALLEY TREES

PROPOSED ORNAMENTAL TREES

PROPOSED LARGE EVERGREEN TREES

PROPOSED SMALL EVERGREEN TREES

PROPOSED COLUMNAR TREES

PROPOSED LARGE SHRUB MASSING

PROPOSED STREET LIGHTS

PROPOSED PEDESTRIAN LIGHTS

EXISTING CABLE TELEVISION CONDUIT

EXISTING ELECTRICAL CONDUIT

EXISTING EDGE OF PAVEMENT

EXISTING FENCE LINE

EXISTING NATURAL GAS CONDUIT

EXISTING OVERHEAD WIRES

EXISTING TELEPHONE CONDUIT

EXISTING PUBLIC UTILITIES EASEMENTS

EXISTING SANITARY SEWER CONDUIT

EXISTING STORM DRAIN CONDUIT

EXISTING WATER CONDUIT

EXISTING ZONE LIMITS

PROPOSED 10' CONTOUR

PROPOSED 2' CONTOUR

PROPOSED WATER LINE

PROPOSED SANITARY SEWER WITH STRUCTURE

PROPOSED STORM DRAIN

PROPOSED LIMITS OF DISTURBANCE

EXISTING PARKING LABEL

EXISTING SANITARY CLEANOUT

EXISTING STORM DRAIN MANHOLE

EXISTING ELECTRICAL JUNCTION BOX

EXISTING ELECTRICAL MANHOLE

EXISTING FIRE DEPARTMENT CONNECTION

EXISTING FIRE HYDRANT

EXISTING GAS MANHOLE

EXISTING GUY POLE

EXISTING GAS VALVE

EXISTING LIGHT POLE

EXISTING PHONE PEDESTAL

EXISTING PHONE MANHOLE

EXISTING UTILITY POLE

EXISTING SANITARY MANHOLE

EXISTING TRAFFIC CONTROL BOX

EXISTING TRAFFIC SIGNAL POLE

EXISTING TREE

EXISTING CABLE TELEVISION PEDESTAL

EXISTING UNKNOWN UTILITY MANHOLE

EXISTING WATER METER

EXISTING WATER MANHOLE

EXISTING WATER VALVE

EXISTING BOLLARD

EXISTING SIGN POST

EXISTING WOOD POST

EXISTING INLETS

EXISTING CURB INLET

EXISTING CONCRETE

EXISTING CURB AND GUTTER

EXISTING BUILDING

EXISTING STORY

EXISTING ELECTRICAL TRANSFORMER

EXISTING ASPHALT

EXISTING EASEMENT

EXISTING REINFORCED CONCRETE PIPE

EXISTING CORRUGATED METAL PIPE

EXISTING BUILDING RESTRICTION LINE

EXISTING RIGHT-OF-WAY

PROPOSED PARKING LABELS

PROPOSED HARDSCAPE

PROPOSED FIRE HYDRANT

DOOR LOCATION

PROPOSED SWM FACILITY

NOTE: THESE IMAGES AND EXHIBITS ARE FOR CONCEPTUAL/ILLUSTRATIVE PURPOSES ONLY.
REFER TO SITE PLAN AND OTHER ENGINEERING DRAWINGS FOR DETAILED INFORMATION.

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20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com
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PREPARED FOR:
EYA DEVELOPMENT LLC
4800 HAMPDEN LN.
SUITE 300
BETHESDA, MD 20814
301-634-8649
J. WYNNDHAM ROBERTSON
wynndham@eya.com

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER, LANDSCAPE ARCHITECT & CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
James Buchheister, RLA
Robert Tilson, FALSA, PLA
Logan Kelso, P.E.

REVISIONS	DATE

KING BUICK
4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

CONCEPT LANDSCAPE PLAN - 30 SCALE

PJT2021-00013

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A QUALY LICENSED, REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.
NAME: ROBERT TILSON, RLA, FALSA
LICENSE NO.: 4160
EXPIRATION DATE: 07/22/2022

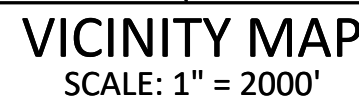
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VIKA PROJECT VM50420
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Germantown, MD 20874
301.916.4100 | vika.com
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PREPARED FOR:
EYA DEVELOPMENT LLC
4800 HAMPDEN LN.
SUITE 300
BETHESDA, MD 20814
301-634-8649
J. WYNNDHAM ROBERTSON
wyndhamr@eya.com

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER, LANDSCAPE ARCHITECT
& CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
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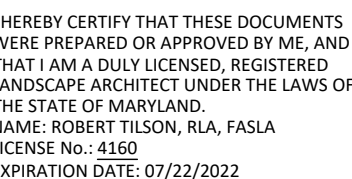
KING BUICK

4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

CONCEPT
LANDSCAPE
PLAN -
30 SCALE

PJT2021-00013

PROFESSIONAL SEAL

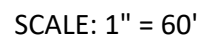


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 SIGNED BY: DL/JB
 DATE ISSUED: AUG. 2021

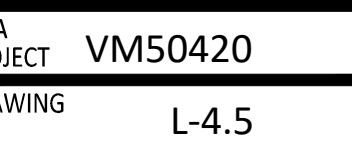
PROJECT	VM50420
DRAWING	L-4.4

ET NO.

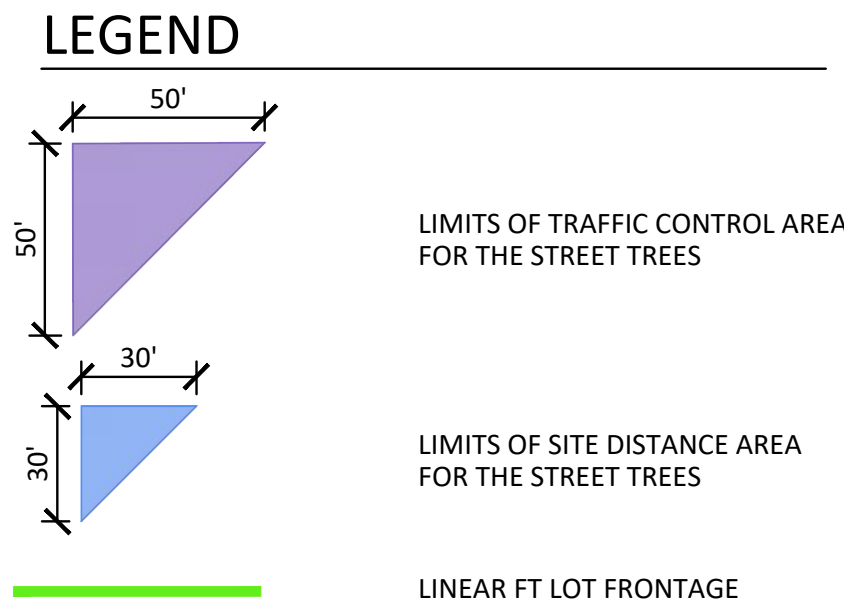
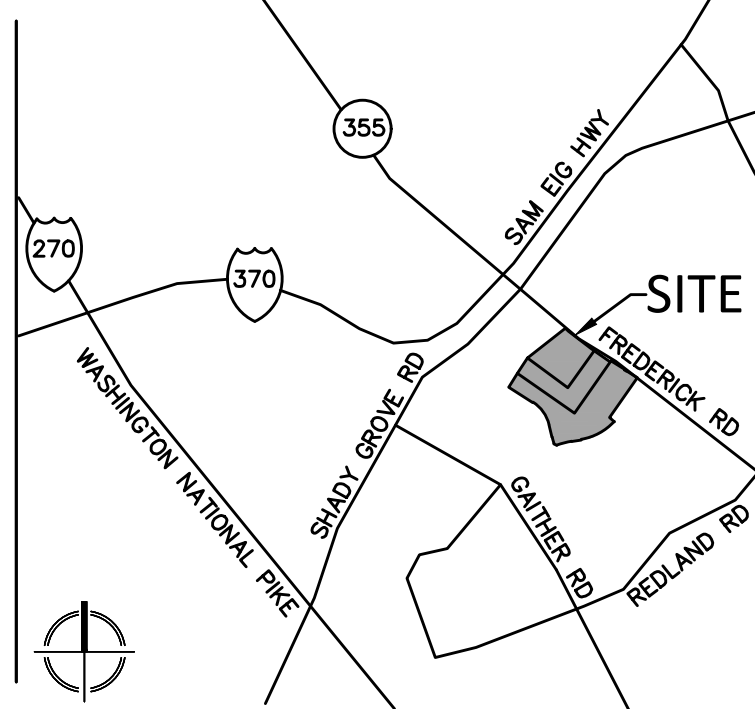


VIKA
PROJECT VM50420
DRAWING
NO. L-4.5

Packet Pg. 158



Attachment 10.d: Supporting Exhibits 2 (3869 : Public Hearing on PJT2021-00013 16200 Frederick Rd- King Buick)



LINEAR FT PF LOT FRONTAGE

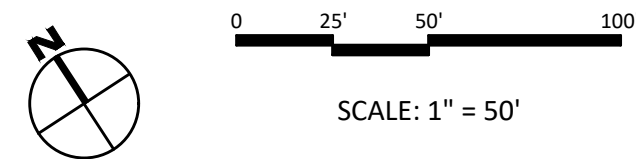
	FRONTAGE #	LENGTH (FT)
	1	340
	2	570
	3	565
	4	526
	5	156
	6	120
	6A	91
	7	49
	8	49
	9	176
	10	224
	11	49
	12	49
	13	168
	14	228
	15	145
	16	380
	17	182
	18	49
	19	49
	20	49
	21	309
	22	224
	23	VOID
	24	130
	25	51
	26	158
	27	191
	28	207
	29	257
	30	323
	31	314
	32	314
	33	104
	34	318
TOTAL		7,114

STREET TREE REQUIREMENTS

REQUIREMENT:	1 STREET TREE PER 40 LF
TOTAL REQUIRED STREET TREES:	178
TOTAL PROVIDED STREET TREES:	162

Planning and Development Services
Received
8/24/2021
PJT2021-00013

NOTE: THESE IMAGES AND EXHIBITS ARE FOR CONCEPTUAL/ILLUSTRATIVE PURPOSES ONLY. REFER TO SITE PLAN AND OTHER ENGINEERING DRAWINGS FOR DETAILED INFORMATION.

[illegible]

KING BUICK
4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

STREET TREE LOT FRONTAGE ANALYSIS

I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A FULLY LICENSED, REGISTERED
LANDSCAPE ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND.
NAME: JAMES TILSON, AIA, FASLA
LICENSE NO.: 4160
EXPIRATION DATE: 07/22/2022

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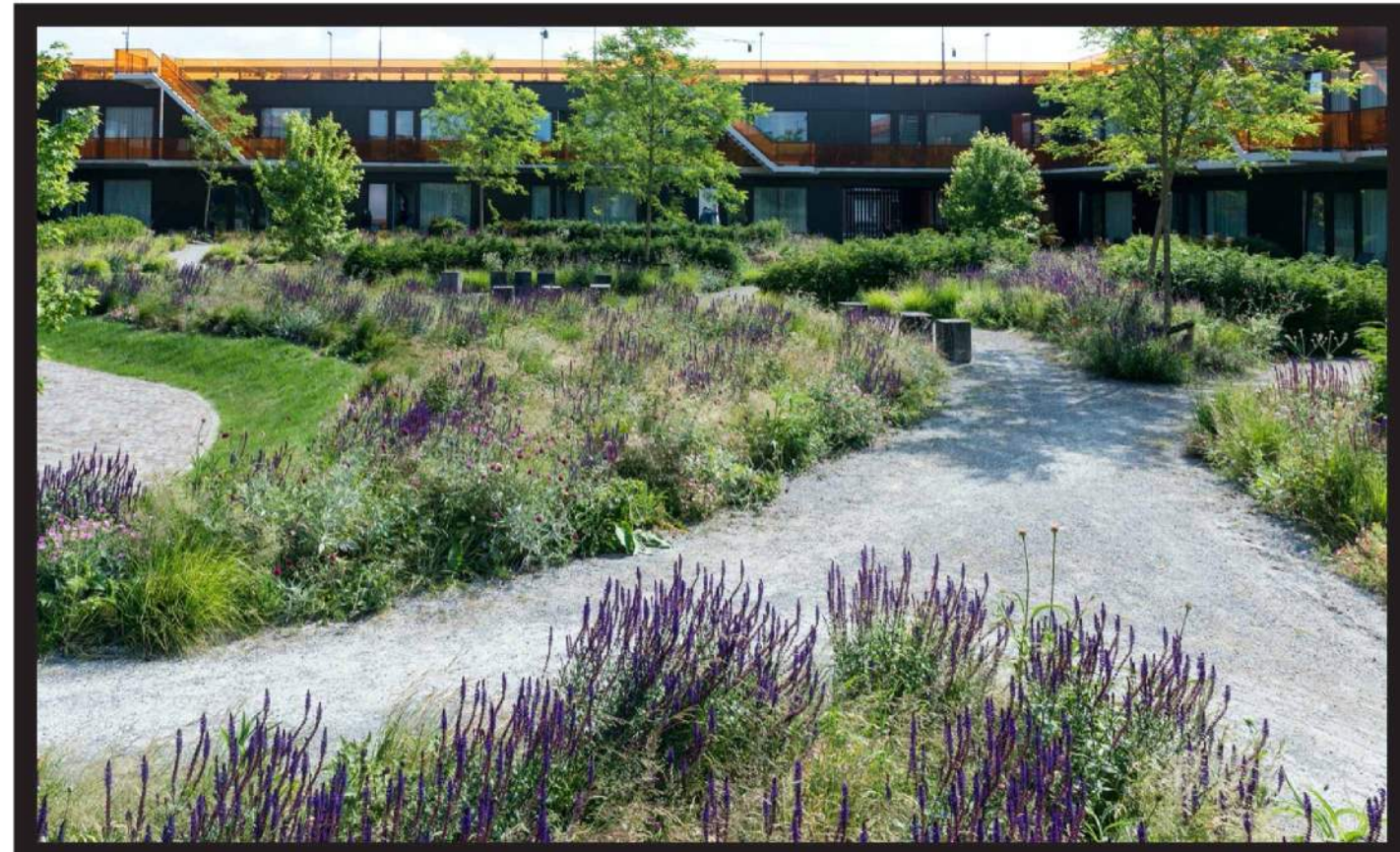
DRAWN BY: DL/RT
DESIGNED BY: DL/RT
DATE ISSUED: AUG. 2021

VIKA
PROJECT **VM50420**

DRAWING
NO. **L-4.6**

SHEET NO.

NATURAL TRAILS



OUTDOOR GAME SPACE



PUBLIC ART



FIRE PIT



POOL/COMMUNITY CENTER



PLAYGROUND



Planning and Development Services
Received
8/24/2021
PJT2021-00013

ART WALL



PUBLIC ART



OUTDOOR SEATING AREA



LAWN



LEGEND

- 8" ART WALL
- NORTH SOUTH CONNECTION
- NATURAL PATH
- STREET TREE
- ORNAMENTAL TREE
- SHADE TREE
- EVERGREEN TREE
- EAST WEST CONNECTION
- POTENTIAL ART LOCATION

NOTE: THESE IMAGES AND EXHIBITS ARE FOR CONCEPTUAL/ILLUSTRATIVE PURPOSES ONLY. REFER TO SITE PLAN AND OTHER ENGINEERING DRAWINGS FOR DETAILED INFORMATION.



0 25' 50' 100'
SCALE: 1" = 50'

Vika
VIKA MARYLAND, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com
Our Site Set on the Future.

PREPARED FOR:
EYA DEVELOPMENT LLC
4800 HAMPTON LN.
SUITE 300
BETHESDA, MD 20814
301-634-8649
J. WYNHAM ROBERTSON
wynndham@eya.com

ATTORNEY:
MILES & STOCKBRIDGE
11 N WASHINGTON ST.
SUITE 700
ROCKVILLE, MD 20850
301-762-1600
BARBARA SEARS

PLANNER & CIVIL ENGINEER:
VIKA MARYLAND, LLC
20251 CENTURY BLVD.
SUITE 400
GERMANTOWN, MD 20874
301-916-4100
Michael Goodman, P.E.
Logan Kelso, P.E.

REVISIONS	DATE

KING BUICK
4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 222NW08
WSSC GRID: 221NW08
TAX MAP: GS12

OPEN SPACE
CIRCULATION
CONCEPT

PROFESSIONAL SEAL

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DRAWN BY: TW/RT
DESIGNED BY: TW/RT
DATE ISSUED: 7/21/2021

VIKA PROJECT
DRAWING NO.
SHEET NO. L-4.7



August 27, 2021

Barbara A. Sears
 bsears@linowes-law.com
 301.961.5157

Phillip A. Hummel
 phummel@linowes-law.com
 301.961.5149

Mr. R. James Wasilak
 Chief of Zoning
 Department of Community Planning and
 Development Services
 City of Rockville
 111 Maryland Avenue
 Rockville, Maryland 20850

**Re: PJT2021-00013 and STP2021-00433 – Waiver of Subdivision
 Regulations: Residential Lot Tree Planting**

Dear Mr. Wasilak:

EYA Development (“Applicant”) is submitting this letter to request waivers of certain requirements of Article 21 of Chapter 25 of the City of Rockville Code (the “Zoning Ordinance”) pursuant to Section 25.21.07 of the Zoning Ordinance. Specifically, Applicant seeks to modify the requirements to: 1) plant at least one (1) street tree per 40 feet of lot frontage within the public right-of-way under Section 25.21.21.a of the Zoning Ordinance (“Lot Frontage Trees”); and 2) plant a minimum of one tree in the front yard and two trees in the rear yard of every residential lot under Section 25.21.21.b of the Zoning Ordinance (“Residential Lot Trees”).

Applicant proposes to: 1) reduce the number of Lot Frontage Trees required amount along the Property’s lot frontage (178, based on 7,114 feet of lot frontage) by up to 12%; and 2) plant 2.6 Residential Lot Trees per residential lot based on an aggregate of the on-site trees planted anywhere on the Property (collectively, the “Waiver”). This request is associated with PJT2021-00013 (the “Project Plan”) and STP2021-00433 (the “Site Plan”), both of which propose to redevelop 16160/16200 Frederick Road and Parcel P170 (collectively, the “Property”) with 370 total dwelling units (252 townhouses and 118 two-over-two multi-family units), with 15% of dwelling units provided as Moderately Priced Dwelling Units (“MPDUs”), as well as public use spaces, open areas, and other amenities (collectively, the “Project”). Granting Applicant’s request is appropriate as undue hardship will result from strict

Mr. R. James Wasilak
City of Rockville
August 27, 2021
Page 2

compliance, and the Waiver allows substantial justice to be done, protects the public health, safety, aesthetics, and general welfare, and supports the intent and purpose of the City's Comprehensive Master Plan and the Zoning Ordinance. Thus, Applicant requests the Mayor and Council express its support for the waiver in its resolution approving the Project Plan, as well as requests the Planning Commission grant the waiver in approving the subsequent Site Plan.

Background

The Project Plan

On May 3, 2021, Applicant filed the Project Plan, which initially proposed redeveloping the Property with a maximum of 371 dwelling units (up to 1.5 FAR residential) comprising 253 townhouses of varying widths and 118 two-over-two multi-family units.

Applicant held a pre-application meeting on November 24, 2020 and a post-application area meeting on June 3, 2021. A DRC meeting with City staff was held on June 17, 2021. A number of changes were made to the Project Plan in response to City staff comments, including, among other things, reducing the number of proposed units, reconfiguring certain open spaces, streets, and alleys to centralize the main community open space, increasing the amount of right-of-way dedication, increasing/improving buffers to the King Farm Farmstead and Dog Park, widening of the Project's entrance on Frederick Road, and improving pedestrian connectivity. Applicant also coordinately closely with City staff to support the adaptive reuse of the adjacent King Farm Farmstead. The parties have agreed Applicant will construct a 47 space parking lot access from Frederick Road in an agreed-upon location, which will take place at the same time the Project is constructed on the Property. Applicant will be responsible for preparing plans and application materials, while City staff will lead the entitlement process. If the City does not obtain the necessary approvals within six months of Applicant commencing construction of the Project, Applicant will provide a fee-in-lieu.

The Applicant briefed the Planning Commission on the Project Plan on June 23, 2021, and briefed the Mayor and Council on July 19, 2021. The Mayor and Council expressed its support for the agreement regarding the construction of the new parking lot on the King Farm Farmstead. It is anticipated that the Planning

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City of Rockville
August 27, 2021
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Commission will consider and make a recommendation on the Project Plan on September 22, 2021. A public hearing before the Mayor and Council on the Project Plan is expected on October 4, 2021. Mayor and Council direction and instruction is envisioned on October 18, 2021, with final decision on November 8, 2021.

The Site Plan

Applicant filed the Site Plan on August 13, 2021 to implement the approved Project Plan by constructing the Project on the Property.

The Zoning Ordinance's Tree Planting Provisions

Under strict application of Section 25.21.21.a of the Zoning Ordinance, an applicant is required to plant at least one Lot Frontage Tree per 40 feet of lot frontage within the public right-of-way.

Strict compliance with Section 25.21.21.b of the Zoning Ordinance requires an applicant to plant three Residential Lot Trees per residential lot, with one tree to be located in the front of the lot and two trees in the rear of the lot. The three Residential Lot Trees per lot standard, specifically the requirement for two trees in the rear of the lot, anticipates single-family detached building types. This standard was conceived for older suburban-style development, is inconsistent with modern infill projects, and would render compact and higher-density development patterns recommended in the City's recent update to its Comprehensive Plan (Rockville 2040, the "Plan") for prominent corridors near transportation facilities (including Frederick Road close to the Shady Grove Metrorail station) impractical. The urban multi-family and townhouse design proposed in the Project Plan and Site Plan does not anticipate or accommodate this suburban form of planting.

Requested Waiver

Lot Frontage Trees

Applicant's Waiver regarding Lot Frontage Trees is summarized in the following chart:

Mr. R. James Wasilak
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Lot Frontage Trees		
	Required	Proposed
	178 trees (based on 7,114 linear feet of lot frontage)	At least 157 trees
Requested Waiver: Up to 12% Reduction		

Residential Lot Trees

Applicant's Waiver with respect to Residential Lot Trees as calculated in accordance with current City practice is as follows:

Residential Lot Trees		
	Required	Proposed
	774 trees, with one tree planted in the front yard and two trees planted in the rear yard of every residential lot (based on 258 residential lots)	684 trees to be located anywhere on the Properties but off each residential lot; with 111 of the 684 trees not counting toward the satisfaction of afforestation or significant tree replacement
Requested Waiver: Provision of 2.6 trees per residential lot, which may be located anywhere on the Property		

For context, the Project proposes to plant 684 new trees in the aggregate on-site throughout the Property, which is summarized in the following chart:

Afforestation	543 trees
Significant Tree Replacement	30 trees
Street Trees	52 trees
Alley Trees (planted within dry utility easement areas)	59 trees
Residential Lot Trees (planted on lot)	0 trees
Total Number of Trees:	684 trees

As shown in this chart, 111 of the 684 trees (namely, the street trees and alley trees) are not meeting afforestation and significant replacement tree requirements.

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Additionally, and as explained below, no Residential Lot Trees are proposed to be planted on lot. Instead, the Waiver proposes 2.6 trees per residential lot (684 total trees to be planted ÷ 258 residential lots) that may be located anywhere on the Property.

The realization of the Project Plan and Site Plan with the Waiver will result in an increase of approximately 658 new trees when compared to the Property's existing conditions, a significant increase in tree canopy, as well as reduction in impervious surface area presently without any water quality treatment and numerous other public benefits.

Justification for Waiver

Granting Applicant's proposed reduction of Lot Frontage Trees by up to 12% and proposed reduction in Residential Lot Trees from 3 to 2.6, which may be located anywhere on the Property, is appropriate under Section 25.21.07 of the Zoning Ordinance. With regard to findings, this Section states:

If the Planning Commission finds that undue hardship will result from strict compliance with any requirement of this chapter, it may grant a waiver or modification from such requirement so that substantial justice may be done if the public health, safety, aesthetics, or general welfare will not be impaired and the waiver will not be contrary to the intent and purpose of the plan or this chapter.

Strict Compliance with the Zoning Ordinance Will Result in Undue Hardship and the Waiver is Necessary so that Substantial Justice May Be Done

Applicant will suffer undue hardship arising from strict compliance with Section 25.21.21.a and b of the Zoning Ordinance. The Project Plan and Site Plan propose compact, walkable, and transit-oriented development with entirely residential uses (including 15% MPDUs) in order to take full advantage of the Project's proximity to existing transportation infrastructure, public facilities, retail services, employment opportunities, and commercial uses. The Project also includes a new grid of public streets lined with sidewalks, street trees, and lighting fixtures (totaling in excess of 5.6 acres of private land to be dedicated to the City),

Mr. R. James Wasilak
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approximately 2.82 acres of new public use space (well in excess of Zoning Ordinance requirements), numerous state-of-the-art environmental site design measures (with associated easements), a new 10 foot shared use path along the Property's Frederick Road frontage, a new pedestrian connection to Mattie JT Stepanek Park, and a new vehicular connection to Pleasant Drive. The Project also supports the adaptive reuse of the adjacent King Farm Farmstead through the design and construction of a new 47 space parking lot.

Achieving this desired form of urban redevelopment with the significant public benefits associated with the Project necessitates the requested flexibility in the Lot Frontage Tree requirements of Section 25.21.21.a of the Zoning Ordinance. Strict compliance with this provision will result in hardship due to the number of roadside planter box style micro-bioretenition stormwater facilities for achieving environmental site design to the maximum extent practicable as determined by the City, accommodation of WSSC easements, installation of utilities (and associated easements), sight line restrictions, and application of the City requirement that trees must be located at least 15 feet from light poles. Applicant's request to waive this requirement by a modest reduction of up to 12% reduction reflects Applicant's considerable efforts to maximize compliance while appropriately balancing other valuable City interests. Otherwise, Applicant will suffer a hardship through the preclusion of an economically viable project and the inability of receiving a reasonable financial return on its considerable investment for providing extensive public benefits.

Similarly, strict compliance with the Residential Lot Tree requirements of Section 25.21.21.b of the Zoning Ordinance will also result in undue hardship. Providing greater intensification of infill transit-oriented residential development (including 15% MPDUs) along the Frederick Road commercial corridor near Metrorail, employment opportunities, retail services, and public facilities leaves insufficient space for planting a minimum of one tree in the front yard and two trees in the rear yard of each townhouse and two-over-two multi-family lot. As noted above, the Residential Lot Tree requirement from Section 25.21.21.b of the Zoning Ordinance reflects a suburban-style development pattern that is incompatible with urban-oriented, infill, and compact redevelopment. The Project is not seeking to avoid the planting of trees. Instead, the Project includes the planting of 684 new trees in the aggregate (through a range of street trees, shade trees, evergreen trees, ornamental trees, and alley trees) appropriately distributed throughout the Property

Mr. R. James Wasilak
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off individual residential lots. These trees will be planted within new afforestation areas, as well as along new streets, in new public open spaces and open areas, and within buffers from adjacent existing development. Applicant's Waiver will appropriately achieve 2.6 Residential Lot Trees per residential lot, planted in the aggregate throughout the Property.

Undue hardship is also created by other site constraints that impact the ability to plant Residential Lot Trees on lot. For example, 1.33 acres of the Property is currently encumbered by an existing WSSC easement that accommodates a regional transmission main that serves surrounding communities and is an important piece of public infrastructure. This easement area cannot be planted to meet afforestation requirements, which results in the need to plant 22 shade trees or 44 ornamental/small evergreen trees elsewhere on the Property. Furthermore, and in response to comments from City staff, Applicant has widened the rights-of-way for the Project's new street network. This also reduces the availability for planting one tree in the front yard and two trees in the rear yard of each residential lot. If the Waiver is denied, Applicant would unfairly be denied the ability to implement the Project.

The Public Health, Safety, Aesthetics, or General Welfare Will Not Be Impaired by Granting the Waiver

Furthermore, the Planning Commission's approval of the Waiver will support the public health, safety, aesthetics, and general welfare. Approving the Waiver will allow the implementation of the Project with walkable, transit-oriented, and infill development that is conveniently located near existing and future infrastructure, incorporates open areas and public use spaces in excess of zoning requirements, and achieves desirable linkages with surrounding communities. This, in turn, will enable the provision of much needed housing in the City, including a significant number of moderately priced dwelling units ("MPDUs"), convenient to transportation facilities, job opportunities, retail uses (including the nearby King Farm Village Center), commercial services, and public recreational facilities (such as Mattie JT Stepanek Park). Residents of the Project's new dwelling will be able to access and enjoy new open areas enhanced with trees, landscaping, and other desirable amenities. This includes the WSSC easement area along the Property's northern boundary with a proposed natural trail in a meadow setting with plantings and flowers, generously

Mr. R. James Wasilak
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landscaped pocket parks with children's play equipment, and a centralized community open space with areas for gathering and recreation.

The Waiver will also support the incorporation of other enhancements to public health, safety, aesthetics, and general welfare included in the Project Plan and Site Plan, including a new grid network of internal public streets with comfortable sidewalks and attractive street trees, the construction of a new 10-foot-wide shared use path along the Property's Frederick Road frontage for pedestrians and cyclists, a new connection between the Property and the Mattie JT Stepanek Park, a new vehicular connection to Pleasant Drive, improved state-of-the-art stormwater management, and enhanced landscaped buffers between the Project and adjacent existing development. The Project, as proposed, also allows Applicant to support the long-anticipated adaptive reuse of the King Farm Farmstead by constructing an improved access point and new 47 space parking lot. Applicant observes that the existing property currently contains approximately 25 trees 12" DBH or larger. The Project is proposed to provide 684 new trees planted to City standards. As noted above, implementation of the Project with Applicant's requested Waiver will result in an increase of approximately 658 trees when compared to the Property's existing conditions, a significant increase in tree canopy, and a reduction in untreated impervious surfaces when compared to the Project's existing conditions.

Granting the Waiver Will Not Be Contrary to the Intent and Purpose of the City's Comprehensive Plan or the City's Zoning Ordinance

Lastly, the Waiver request advances the intent and purpose of the City's recent update to its Plan and the Zoning Ordinance. Implementing the Project on the Property, with the approval of the Waivers, is wholly consistent with the Plan. With respect to land use and urban design, this includes providing higher density residential land uses near Metrorail along a major arterial corridor, advancing walkable and bikeable development, improving connections to surrounding development, and offering flexibility to achieve creative site planning. Plan, pgs. 29, 35-39, 49. Regarding transportation, the Project supports "complete streets" and Vision Zero goals, enhances pedestrian facilities, achieves an important bicycle connection along the Property's Frederick Road frontage, and takes advantage of the future BRT route along Frederick Road. Plan, pgs. 58-65, 70-71. With respect to the environment, the Project facilitates reduced greenhouse gas emissions by placing new housing close to public transportation, employment, services, and facilities, thereby

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reducing reliance on the automobile and vehicle miles traveled. Plan, pg. 128-29. On housing, the Project fosters sufficient market-rate housing to provide more affordable housing, create new “missing middle” housing, and allowing new housing in more urban contexts. Plan, pgs. 197-98, 203-04. The Plan also specifically supports the redevelopment of the Property and notes that new residential development would support the King Farm Village Center. Plan, pg. 396.

Approving the Waiver is also consistent with many of the purposes of the Zoning Ordinance, including providing appropriately scaled buildings that are compatible with their surroundings, facilitating diversity in housing, building design, and land use, ensuring orderly development consistent with the Plan, allowing for the most appropriate use of land throughout the City, fostering flexible building and site design, and offering attractive, high quality development and design that enhances the community’s quality of life. See § 21.01.02 of the Zoning Ordinance.

Conclusion

Granting the Waiver will prevent undue hardship resulting from strict compliance with the requirements to plant at least one street tree per 40 feet of lot frontage within the public right-of-way and at least three trees per residential lot, allow for substantial justice to be done without impairment to public health, safety, aesthetics, or general welfare, and not be contrary to either the intent of the City’s Plan or the Zoning Ordinance. Accordingly, the Applicant respectfully requests that the Mayor and Council recommend approval of the Waiver as part of Project Plan approval, and that the Planning Commission grant the Waiver as part of Site Plan approval.

Very truly yours,

MILES & STOCKBRIDGE P.C.

Barbara A. Sears/kdm

Barbara A. Sears

Phillip A. Hummel/kdm

Phillip A. Hummel

Mr. R. James Wasilak
City of Rockville
August 27, 2021
Page 10

cc: Bob Youngentob, EYA
Wyndham Robertson, EYA
Jason Sereno, EYA



August 26, 2021

EYA Development LLC
4800 Hampden Lane
Suite 300
Bethesda, MD 20814

Re: King Buick Preliminary Forest Conservation Plan, [FTP2021-00021](#)

Dear EYA Development LLC:

The Preliminary Forest Conservation Plan (PFCP) received on May 3, 2021 for "Potomac Woods" under [FTP2021-00021](#) has been approved by the Planning and Development Services Department.

The PFCP approval is granted based on the following requirements:

- The Planning Commission approves Project Plan (PJT2021-00013).
- The applicant completes the required items listed under the "Forestry Permit" section in this letter.

Under Section 10.5-13(c)(4) of the Forest and Tree Preservation Ordinance (FTPO), the approved PFCP "shall remain in effect, and shall serve as the basis for the Final Forest Conservation Plan(s) with respect to forest and tree retention for the duration of the validity period of the underlying approval, unless the City Forester determines that site conditions have changed to the point where the preliminary approval is no longer accurate."

FOREST AND TREE PRESERVATION ORDINANCE (FTPO) REQUIREMENTS

The proposed development to the City requires compliance with the City of Rockville's FTPO. The City Forester's office approved a Natural Resources Inventory/Forest Stand Delineation plan on February 22, 2021.

FOREST CONSERVATION

The forest conservation requirement for this project is based on the following:

- Tract area: 20.58 acres
- Site zoning: MXCD
- Existing forest: .00 acres
- Afforestation required: 3.09 acres

MINIMUM TREE COVER

The minimum tree cover requirement for this project, is 10%.

SIGNIFICANT TREES/SPECIMEN TREES

Significant trees are defined as trees located outside of a forest and being 12" DBH (diameter at breast height) and trees located within a forest and being 24" DBH and greater. Specimen trees are defined as trees with a diameter equal to or greater than 30" DBH or trees that are 75% of the diameter of the state champion tree of that species. Removal of specimen trees requires written justification approved by the City Forester in accordance with Section 10.5-2(c) of the FTPO. There are 25 significant trees on the site, of which, 2 are considered specimen trees.

Significant Trees

The project proposes to remove 15 significant trees from the site, 2 of which are specimen trees. The applicant is preserving 10 significant trees on the site. The replacement requirement is 29 trees to be planted on site. The applicant is removing 1 significant tree off the site and replacing it with 1 tree planting off the site.

STREET TREES

The project has frontage on Frederick Road, which is a State Highway Authority right of way (outside City limits). The project is creating public right of way within the development which is required to meet zoning ordinance 25.21.21 regarding planting of street trees. Street trees shall be shown on both the Final FCP and the street tree and lighting plan and will be in addition to new street tree planting proposed in rights-of-way. The project is proposing to remove 0 existing street trees.

The applicant is requesting a waiver to zoning ordinance 25.21.21 regarding the quantity and spacing of street trees. Staff has reviewed the waiver request and recommend it for approval by the Planning Commission at Site Plan.

LOT TREE REQUIREMENT

The applicant is requesting a waiver to Zoning Ordinance 25.21.21 for the 3 trees per lot requirement. Staff has reviewed the waiver request and recommend it for approval by the Planning Commission at Site Plan.

CONDITIONS OF APPROVAL FOR FINAL FOREST CONSERVATION PLANS

A Final Forest Conservation Plan must be reviewed and approved by the City with signature site plan submission and prior to release of any Building, Forestry and DPW permit associated with site plan submission. The Final FCP shall be generally consistent with the PFCP and approval letter and provide tree plantings consistent with outlined requirements.

Final FCP and site plan must comply with FTPO and Zoning Ordinance. In addition to compliance with applicable codes, the following specific directives must be followed:

1. Ensure tree plantings meet minimum spacing requirements, which include:
 - a. Shade trees spaced 20 feet apart, large, or small evergreens and ornamental trees spaced 15 feet apart. Shade trees 15 feet from ornamental trees. Spacing between evergreens and shade trees is 15 or 20 feet, as determined by the City since distance is dependent on growth habit of the species.
 - b. 10 feet from wet and dry utilities, except when these are under streets or as otherwise authorized by designated staff.

- c. 15 feet from streetlights and driveways (DPW provide requirements for sight distances and stop signs) or as authorized by designated staff.
 - d. 10 feet from inlets.
 - e. Shade trees and large evergreens shall be spaced a minimum of 7 feet, and ornamental trees and small evergreens to be spaced a minimum of 5 feet from micro bioretention underdrain pipes (6" diameter and smaller)
 - f. Street trees can be planted over stormwater conveyance pipes when pipes have a minimum of 4 feet of cover and are immediately behind the curb.
 - g. Trees planted to meet FTPO or other forestry requirements on the site may not be located within existing or proposed easements (excluding forest conservation easements).
2. The Applicant must submit a Final Forest Conservation Plan (FFCP) which meets the minimum requirements approved with the PFCP plan for the proposed site plan.
 3. Use current city tree tables and FTPO notes and details.
 4. Ensure the plan does not contain overwrites and is prepared per the general structure requirements for Final FCP's.
 5. Soil augmentation per the city's Forest and Tree Preservation Ordinance Notes will be required prior to installation of new trees within existing green space or where pavement was previously located.
 6. Graphically delineate the areas where soil removal and replacement are required prior to installation of all new trees.
 7. At the time of site plan submission, the Applicant must submit a landscape plan for that subject property consistent with all City ordinances.
 8. The applicant must address all comments provided on the most recent PFCP submission plans by the forestry reviewer.

FORESTRY PERMIT

The applicant is required to obtain a Forestry permit prior to forestry sign off on any sediment control permit and building permit associated with the site plan. The following items are required before issuance of the Forestry permit:

- Submission of the FTP permit application and fee.
- Approval of a Final Forest Conservation Plan which is consistent with the Pre FCP and addresses the items listed in this letter under "Conditions of Approval for Final Forest Conservation Plan."
- Applicant must execute a Five-year Warranty and Maintenance Agreement in a form suitable to the City.
- Applicant must post a bond or letter of credit approved by the City.
- Applicant must pay applicable amount of approved fee-in-lieu.

The Pre FCP approval does not infer or supersede other required project approvals and is contingent upon meeting all other city requirements including, but not limited to stormwater management, erosion and sediment control, water and sewer, traffic and transportation, and zoning and building codes.

Any significant modification to the approved Pre FCP must be consistent with Site Plan approval.

Page 4

Sincerely,

Shaun Ryan
Principal Planner – Landscape Architect
City of Rockville, Maryland

Cc:

Jim Wasilak, Zoning and Development Manager
John Foreman, Development Services Manager
EYA Development, LLC



111 Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-5000
www.rockvillemd.gov

Exhibit E: Stormwater Letter

June 17, 2021

Mr. Wyndham Robertson
EYA Development, L.L.C.
4800 Hampden Lane, Suite 300
Bethesda, Maryland 20817

SUBJECT: 16200 Frederick Road – King Buick – Pre-Application Stormwater Management Concept Approval; PAM2021-00129, PJT2021-00013, SMC2021-00002

Dear Mr. Robertson:

The Pre-Application Stormwater Management (SWM) Concept (Concept) received on May 3, 2021 for the above referenced site is conditionally approved. City of Rockville (City) staff has determined that the Pre-Application SWM Concept, as described below, achieves on-site Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP). This Pre-Application SWM Concept approval establishes ESD to the MEP as a P_E of 1.01-inch for this project which is 52 percent of the required ESD volume (ESD_v).

This site is 20.58 acres and is identified as Parcels A and C, King's Addition to Shady Grove, subject to annexation by the City's Mayor and Council (ANX2020-00146), and Parcel P170 situated at 16200 Frederick Road. The proposed development includes the construction of residential townhouses and stacked condominium townhouses, a community center, and six public roads with associated infrastructure. The property is located in the Rock Creek Watershed and is proposed to be zoned MXCD (Mixed-Use Corridor District). The on-site soils are predominately Gaila and Glenelg Silt Loams and Urban Land which are classified as hydrologic soil groups (HSG) B and D, respectively.

According to City Code (Code), Chapter 19, Section 19-2 Definitions the Site qualifies as Redevelopment because it proposes construction on a property where existing imperviousness is greater than 40 percent of the site. The property is currently 48 percent impervious.

In accordance with Chapter 19, Section 19-45 of the Code, SWM is required for all new and replacement impervious area within the entire site area including all impervious area previously existing on the site that does not have SWM to current standards. According to the submitted Concept, the on-site impervious area subject to SWM is 13.70 acres.

Per Chapter 19, Section 19-46 (b), SWM also must be provided for imperviousness in a portion of the adjacent Frederick Road and Pleasant Drive Right-of-way (ROW). According to the submitted Concept, the total impervious area in the adjacent ROW subject to SWM is 0.89 acre.

Mr. Wyndham Robertson
June 17, 2021
Page 2

Your proposed Pre-Application SWM Concept, as shown on the attachment, is summarized as follows:

ON-SITE SUMMARY

Proposed new or replacement impervious areas are summarized as:

- Residential – Townhouses and Stacked Condominium Townhouses.
- Community Center with Pool.
- Public/Private Infrastructure – Roads, Alleys, and Sidewalks.

Total on-site impervious area subject to SWM = 13.70 acres.

Environmental Site Design Measures

- The Concept proposes to provide a minimum $P_E = 1.01$ -inch equivalent to 52 percent of the required ESD_v in the following on-site measures:
 - 18,904 square feet (sf.) Permeable Pavement.
 - Two At-Grade Micro-Bioretenention Facilities.
 - 32 Micro-Bioretenention Planter Box Facilities.
 - 115 Roadside Micro-Bioretenention Planter Box Facilities.
- Summary of ESD:
 - Total ESD_v provided = 49,022 cubic feet (cf.).
 - Total ESD_v required = 93,263 cf.
 - Percentage of ESD_v provided = 49,022 cf. / 93,263 cf. = 52 percent.

Structural Measures and/or Alternative Measures – Structural Measures and Monetary Contribution

This Pre-Application SWM Concept Approval does not approve the methods for providing SWM beyond establishing the percent ESD_v . Additionally, the Pre-Application SWM Concept does not grant approval of a Monetary Contribution Alternative Measure and the City may require additional SWM facilities to provide the entire ESD_v on-site. Further consideration and a determination of acceptable SWM Alternatives shall be made with the Development SWM Concept. The Pre-Application SWM Concept proposes:

- Structural Measures – On-site underground stormwater structures, which provide partial C_{pv} in-lieu of full ESD.
- Alternative Measures – Monetary Contribution in-lieu of providing full ESD (partial C_{pv}) and in-lieu of providing Q_{p10} for the 13.70 acres of on-site impervious area.

ROW SUMMARY

Structural Measures and/or Alternative Measures – Monetary Contribution

The Pre-Application SWM Concept proposes:

- Alternative Measures – Monetary Contribution in-lieu of providing WQ_v , C_{pv} , and Q_{p10} for the 0.89 acre of impervious area in the adjacent ROW of Frederick Road and Pleasant Drive.

CONDITIONS OF APPROVAL

Staff has determined that ESD to the MEP has been met. This Pre-Application SWM Concept is conditionally approved subject to the following conditions, which must be addressed at the stages in the process as indicated below:

1. Provide the remaining C_{pv} to the MEP in additional on-site ESD or structural measures located on private property. If a stormwater measure is proposed to provide treatment for the proposed public ROW, the facility may be in the public ROW and the City will own and maintain the facility.

Mr. Wyndham Robertson
June 17, 2021
Page 3

2. Storage provided exceeding the amount required to treat the one year, 24-hour design storm shall not be credited towards the total water quality (ESD or structural) volume provided.
3. Prepare a safe conveyance analysis of the downstream storm drain systems. This letter establishes the study point as the outfall of the Frederick Road storm drain system as shown on the attached exhibit entitled "*King Buick – Safe Conveyance Analysis Limits*" and as to be determined by Maryland State Highway Administration (MSHA) and/or Montgomery County Department of Transportation (MCDOT). The safe conveyance study and conceptual design for drainage connections to existing storm drains must be approved by the appropriate agency for review with copies provided to Rockville DPW prior to approval of the Development SWM Concept. However, this analysis may be reviewed concurrently with the Development SWM Concept.
4. Required approvals and permits for drainage connections to existing storm drains in MSHA and/or MCDOT properties, easements and ROWs must be obtained prior to the issuance of a Stormwater Management Permit (SMP).

The next step in the City's two-stage SWM Concept approval is submission of a Development SWM Concept for review and approval by the Department of Public Works (DPW) prior to Planning Commission approval of the Site Plan. In accordance with the Code, Chapter 19, Section 19-44, SWM must be provided by one of the following methods, which are listed in order of priority respectively: on-site ESD measures, on-site structural measures, and alternative measures which may include a monetary contribution.

The submitted material must:

1. Evaluate the feasibility of alternative and additional ESD measures not contemplated in the Project Plan's Pre-Application SWM Concept. The City may require additional ESD measures at the Development SWM Concept stage, based on their feasibility. Alternate measures to consider include, but shall not be limited to, additional onsite or roadside micro-bioretenion facilities and enhanced facilities.
2. Include all plans, on 24-inches x 36-inches sheets, computations, and supporting documents as outlined in the City SWM Concept Checklist.
3. Demonstrate, with sufficient details and computations, how ESD to the MEP, established by this approval, will be achieved on-site.
4. Demonstrate, with sufficient details and computations, compliance with the full SWM requirements will be in accordance with Sections 19-43 and 19-44 of the Code. SWM Alternatives, including monetary contribution as a method to meet SWM requirements will be reviewed at the Development SWM Concept stage. Fee-in-lieu calculations associated with on-site areas should be presented separately from adjacent ROW areas.
5. Demonstrate, with sufficient details and computations, that the on-site underground stormwater structures provide on-site C_{pv} in-lieu of full ESD.
6. Include horizontal and vertical information to support the design, including underdrain pipes and overflow structures, and conveyance to the proposed ESD and structural SWM facilities.
7. Include conceptual level vertical information that demonstrates how the volume required to be treated by ESD and structural measure will be flow split, with the 10-year storm event by-passing the treatment facilities and being safely collected and conveyed to the downstream storm drain system. Provide conceptual calculation of the 10-year water surface elevation at each facility where applicable.
8. Provide information that demonstrates that individually sized sub-drainage areas are safely conveyed to the individual ESD measures.
9. Submit a revised SWM/Forestry Overlay Plan demonstrating compliance with the Concept approval and the Pre-FCP approval.
10. Show and label preliminary SWM easements for all proposed SWM facilities. Easements should be sized to allow future inspection and maintenance.

Mr. Wyndham Robertson
June 17, 2021
Page 4

11. Conceptual design must be submitted to WSSC for review of any WSSC utilities crossing proposed SWM facilities prior to approval of the Development Stormwater Management Concept.

This Pre-Application SWM Concept does not supersede or negate other required project approvals. The Concept approval does not approve the layout or density of the site. The Concept approval is contingent upon compliance of all other City and other governmental agency requirements including, but not limited to, Forestry, Traffic and Transportation, and Planning.

Any significant changes to the proposed development may result in the requirement to submit a revised Pre-Application SWM Concept with review fee for approval by DPW.

If you have questions, please contact Principal Civil Engineer Sean Murphy via email at smurphy@rockvillemd.gov or via telephone at 240-314-8535.

Sincerely,

John Scabis

John Scabis, P.E.
Chief of Engineering

JKS/SKM/kmc

- Attachments: 1. King Buick – Pre-Application SWM Concept Plan, dated May 3, 2021
2. King Buick – Safe Conveyance Analysis Limits.

cc: Jim Lapping, Engineering Supervisor
John Foreman, Development Services Manager
Sachin Kalbag, Principal Planner
Shaun Ryan, Principal Planner
Conrad Aschenback, Victor, Inc.
Barbara Sears, Miles & Stockbridge
Kwesi Woodroffe, MDOT SHA District 3 Regional Engineer
Logan Kelso, VIKI Maryland, L.L.C.
SWM Concept file
Permit plan, PAM2021-00129, PJT2021-00013, SMC2021-00002
Day file

Exhibit F: Stormwater Letter



111 Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-5000
www.rockvillemd.gov

August 31, 2021

Mr. Wyndham Robertson
EYA Development, L.L.C.
4800 Hampden Lane, Suite 300
Bethesda, Maryland 20817

SUBJECT: King Buick Annexation Stormwater Management Concept; 16200 Frederick Road –
PJT2021-00013, ANX2020-00146, SMC2021-00002

Dear Mr. Robertson,

The Annexation Stormwater Management (SWM) Concept letter issued on August 4, 2021, for the above referenced site (site) is being revised based on design changes and constraints to the Concept. The SWM Concept received on August 17, 2021, for the site is acceptable and meets the requirements of a Development SWM Concept. This letter supersedes the previous Annexation SWM Concept approval letter listed above.

This letter also documents the minimum SWM requirements for the subject property and is intended to serve as an attachment to the Annexation Agreement associated with Annexation ANX2020-00146. This SWM approval does not supersede or negate other required project approvals. The applicant shall comply with the conditions of the Pre-Application SWM Concept approval letter, dated June 17, 2021. Although the submitted Annexation SWM Concept meets the requirements of a Development SWM Concept submission, final review and approval of the Development SWM Concept remains pending and will be issued concurrent with Site Plan approval. The Development Concept approval will be contingent upon compliance with all City of Rockville (City) and other governmental agency requirements including, but not limited to, those imposed by City Forestry, Traffic and Transportation, and Planning and Development Services. It is understood that changes to the SWM Concept Plan may be necessary if duly authorized bodies such as the Rockville Mayor and Council, Rockville Planning Commission, Washington Suburban Sanitary Commission, or Maryland State Highway Administration require changes to the development of the site that impact the SWM facilities. However, the development of the site must be in conformance with the Pre-Application SWM Concept and the intent of this Annexation SWM Concept plan by providing a minimum 95 percent of the Target Environmental Site Design volume (ESD_v) in a combination of Environmental Site Design (ESD) measures and onsite structural storage.

Mr. Wyndham Robertson
August 30, 2021
Page 2

Staff has determined that the SWM Concept, as described below, achieves the required level of on-site ESD to the Maximum Extent Practicable (MEP), $P_E = 1.01$ -inch, equivalent to 52 percent of the required ESD_v , as established by the Pre-Application SWM Concept approval letter.

This site is 20.58 acres and is identified as Parcels A and C, King's Addition to Shady Grove, subject to annexation by the City's Mayor and Council (ANX2020-00146), and Parcel P170 situated at 16200 Frederick Road. The proposed development includes the construction of residential townhouses and stacked condominium townhouses, a community center, and six public roads with associated infrastructure. The property is located in the Rock Creek Watershed and is proposed to be zoned Mixed-Use Corridor District (MXCD). The on-site soils are predominately Gaila and Glenelg Silt Loams and Urban Land, which are classified as hydrologic soil groups (HSG) B and D, respectively.

The property is currently 48 percent impervious and the proposed development is, therefore, defined as Redevelopment by the City Stormwater Ordinance. SWM is required for all new and replacement impervious area within the entire site area including all impervious area previously existing on the site that does not have SWM to current standards. According to the submitted Concept, the on-site impervious area subject to SWM is 13.75 acres. SWM also must be provided for imperviousness in a portion of the adjacent Frederick Road and Pleasant Drive right-of-way (ROW). According to the submitted Concept, the total impervious area in the adjacent ROW subject to SWM is 0.30 acre.

The proposed SWM Concept, as shown on the attachment and summarized in Table 1, provides a minimum $P_E = 1.34$ -inch, equivalent to 70 percent of the required ESD_v (65,166 cf. ESD_v provided / 93,583 cubic feet (cf.) ESD_v required), in a combination of on-site measures including Permeable Pavement, At-Grade Micro-Bioretention Facilities, Micro-Bioretention Planter Box Facilities, and Roadside Micro-Bioretention Planter Box Facilities.

The Concept also proposes a minimum of 25,287 cf. as underground structural measures in-lieu of providing full ESD. Structural facilities are proposed to be located on private property and within the public ROW.

Finally, the SWM Concept proposes SWM Alternative - Monetary Contribution in-lieu of providing full C_{pv} and Q_{p10} for the on-site impervious area and in-lieu of providing WQ_v , C_{pv} , and Q_{p10} for the impervious area in the adjacent Frederick Road and Pleasant Drive ROW.

Mr. Wyndham Robertson
 August 31, 2021
 Page 3

Table 1. SWM Concept Summary Table submitted with Project Plan on August 17, 2021.

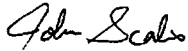
SWM Summary Table
Type of Concept: Annexation SWM Concept
COR: SMC2021-00002, PJT2021-00013
Property Address: 16200 Frederick Road, Rockville, Maryland 20855
Property Legal Description: Parcel 1 – Victor, Inc.; Parcel 2 – Frederick Road Limited Partnership
Property Size (ac./sq. ft.): 20.58 ac. / 896,476 sq. ft.
Total Concept Area (ac./sq. ft.): 20.37 ac. / 887,470 sq. ft.
Zoning: MXCD
Watershed and Stream Class: Rock Creek – I/I-P
Special Protection Area: No
100-YR Floodplain: N/A
Target P_E / Proposed P_E : 1.93 inches / 1.34 inches
Target ESD_V / Provided ESD_V : 93,583 cu. ft. / 65,166 cu. ft.
ESD Measures: Micro-Bioretenention and Permeable Pavement
Structural Storage Required / Provided: 28,417 cu. ft. / 25,287 cu. ft.
Structural Measures: Underground Stormwater Structures
Requested to be SWM Alternative – Monetary Contribution: 3,130 cu. ft. (on-site partial C_{pv})
Provided ESD_V + Structural Storage Provided + Requested to be SWM Alt. = 93,583 cu. ft.
Other Information:

Any significant changes to the proposed development may result in the requirement to submit a revised SWM Concept with review fee for approval by the Department of Public Works.

Mr. Wyndham Robertson
August 31, 2021
Page 4

If you have questions, please contact Principal Civil Engineer Sean Murphy via email at smurphy@rockvillemd.gov or via telephone at 240-314-8535.

Sincerely,



John Scabis, P.E.
Chief of Engineering

JKS/SKM/jap

Attachments: King Buick – Annexation SWM Concept Plan, dated August 17, 2021

cc: Jim Lapping, Engineering Supervisor
John Foreman, Development Services Manager
Sachin Kalbag, Principal Planner
Shaun Ryan, Principal Planner
Conrad Aschenbach, Victor, Inc.
Barbara Sears, Miles & Stockbridge
Logan Kelso, VIKI Maryland, LLC
SWM Concept file
Permit plan, PJT2021-00013, ANX2020-00146, SMC2021-00002
Day file

Attachment 10.h: August 31 Stormwater Letter (3869 : Public Hearing on PJT2021-00013 16200 Frederick Rd- King Buick)

Exhibit I: Roadway Design Letter



City of
Rockville
Get Into It

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www.rockvillemd.gov

September 3, 2021

Mr. Jason Sereno
Sr. Director of Development
EYA Development, L.L.C.
4800 Hampden Lane, Suite #300
Bethesda, Maryland 20814

SUBJECT: 16200 Frederick Road – Roadway Design Layout

Dear Mr. Sereno:

As you know, City of Rockville Public Works staff has been working closely with EYA Development, L.L.C. (EYA) and their design team on the concept layout for the proposed King Buick development, including such aspects as roadway cross sections, curve radii, general roadway safety, and other features as proposed by EYA. By way of this letter, I hereby approve a waiver for the roadway curvature to be reduced down to 100 feet as shown on the current Project Plan submission, provided there are no sight distance conflicts found in the detailed engineering phase.

If you have questions, please feel free to contact me via email at csimoneau@rockvillemd.gov or via telephone at 240-314-8502.

Sincerely,

Craig Simoneau

Craig L. Simoneau, P.E.
Director of Public Works

CLS/kmc

cc: John Foreman, Community Planning and Development Services Manager
Jim Lapping, Engineering Supervisor
Faramarz Mokhtari, Senior Transportation Planner
Andrew Luetkemeier, Principal Transportation Engineer
Day file

From: [Wayne Hwang](#)
To: [Sachin Kalbag](#)
Subject: EYA Development, LLC
Date: Tuesday, August 31, 2021 9:31:18 AM

Dear Mr. Kalbag,

I am writing in concern of the new proposed development at 16160/16200 Frederick Road and Parcel P170. I am writing against this development as currently planned. There are way TOO many townhouses crowded into this development. This will lead to further overcrowding of our schools and increased gridlock on our roads. Allowing this development to connect to Pleasant Drive will also significantly increase traffic around the Mattie Stepanek Park. This concerns me about the increased risk of car accidents involving children when they go to play at this park. We already have a drag racing problem on Gude and those cars already travel at high speeds through the King Farm neighborhood. I don't want to add more cars into the mix.

Wayne Hwang, MD
Owner of 1105 Crestfield Dive, Rockville, MD
wh84me@yahoo.com

From: [Jim Wasilak](#)
To: [Sachin Kalbag](#)
Cc: [John Foreman](#)
Subject: FW: 16200 Frederick Road
Date: Tuesday, August 31, 2021 10:36:24 AM

Sachin, can you add to the public record? Thanks, Jim

From: Dan Stern <dan.stern11@gmail.com>
Sent: Tuesday, August 31, 2021 9:18 AM
To: Planning Commission <Planning.Commission@rockvillemd.gov>
Subject: 16200 Frederick Road

Hello Planning Commission,

As a resident of Rockville, and King Farm specifically, I wanted to be sure to express my support for the [16200 Frederick Road project](#). I anticipate there will be some push back from other residents, but this project represents a badly needed infusion of housing stock in this region. It is a project that creates more housing near transit and will help grow the City of Rockville's tax base.

Thank you for your consideration and have a great day.

-Dan

--

Dan Stern (he/him)
512 Saddle Ridge Ln, Rockville, MD 20850
301-775-8374 (Cell)
dan.stern11@gmail.com

From: [Jim Wasilak](#)
To: [John Foreman](#); [Sachin Kalbag](#); [Dan Long](#); [Emad Elshafei](#); [David Levy](#); [Christine Henry](#); [Craig Simoneau](#); [Tim Chesnutt](#)
Cc: [Ricky Barker](#)
Subject: FW: Comments for Tonight's Planning Commission meeting
Date: Wednesday, September 22, 2021 9:23:30 AM
Attachments: [image001.png](#)

FYI, public comment received. Thanks, Jim

From: Martha Morris <mamorris1123@verizon.net>
Sent: Wednesday, September 22, 2021 8:33 AM
To: Jim Wasilak <jwasilak@rockvillemd.gov>
Subject: Comments for Tonight's Planning Commission meeting

September 22, 2021

To: Jim Wasilak, Liaison to Planning Commission
Re: Comments for meeting tonight
From: Martha Morris, 919 Grand Champion Drive, King Farm -- mamorris1123@verizon.net

- 1.) **CORRECTION ON REPORT OF AUGUST 31 POST-APPLICATION MEETING:** On page 19 of the agenda for tonight's meeting, it states that there were 10 residents. There were approximately 20 (I wrote down the name of everyone on the call). Unless there were 10 additional City staffers who did not identify themselves to us.
- 2.) **TRAFFIC:** The biggest concern expressed by residents at the August 31 meeting was the expectation of unacceptable traffic volume at the Pleasant Drive exit from the development. Given the rationale by the applicant/staff (Frederick Road exit has fewer lights to 270 and will be preferred, cut-through to Shady Grove Road was previously investigated and rejected), how about installing a TRAFFIC LIGHT AT THE CORNER OF PICCARD AND PLEASANT? That intersection is used all day long by King Farm residents -- including many CHILDREN -- traveling to the Dog Park and Mattie Stepanek Park. There is already a PEDESTRIAN SAFETY PROBLEM with vehicles not coming to a full stop at that intersection.
- 3.) **ENCROACHMENT ON FARMSTEAD PARK:** At the Historic District Commission meeting on August 1, my concerns about encroachment onto the Community Garden were dismissed as irrelevant. To be clear, I was advocating for the entire Farmstead Park, as were Nancy Pickard of Peerless Rockville and Alan Tabachnick, Chair. Those of us who use and enjoy the Farmstead are worried about incremental encroachment on the Farmstead, beginning with the proposed ever-growing parking lot to be built right on Farmstead property. This is a worrisome mindset on the part of the City, that the Farmstead is available to be cannibalized and diminished for other as-yet-identified purposes. Since the City does not know what, if any, uses the Farmstead resources may provide in the future, once again I urge the City to take the FEE-IN-LIEU until such time as more definite plans are in place. Have a TRANSITION period. And pledge to keep the Picnic Pavilion and the Community Garden in place.
- 4.) **LOSS OF GREEN SPACE:** Once again, I must express my dismay that the beautiful green space along Frederick Road between King Buick and King Farm, full of mature trees and wildlife, will be taken away from the citizens of Rockville and destroyed. I moved to King Farm because of all the green spaces and the Farmstead -- it showed a city that cared about preserving its beauty and history.
- 5.) **ALTERNATIVE SPACES:** Why is this attractive green space being destroyed when there is an available block of property at the northeast corner of King Farm Boulevard and Frederick Road (at the entrance to the Metro across from the Bainbridge Apartments) which is vacant and turning into a

brownfield?



From: [Ricky Barker](#)
To: [John Foreman](#); [Sachin Kalbag](#); [Dan Long](#)
Subject: Fwd: Comments for King Buick on the Oct 4, 2021 Meeting Agenda
Date: Monday, October 4, 2021 7:55:53 AM

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From: Robert DiSpirito <rdispirito@rockvillemd.gov>
Sent: Sunday, October 3, 2021 10:13:47 PM
To: Ricky Barker <rbarker@rockvillemd.gov>; Craig Simoneau <csimoneau@rockvillemd.gov>; Tim Chesnutt <tchesnutt@rockvillemd.gov>; Victor Brito <vbrito@rockvillemd.gov>
Cc: David Levy <dlevy@rockvillemd.gov>; Jim Wasilak <jwasilak@rockvillemd.gov>; Emad Elshafei <eelshafei@rockvillemd.gov>; James Woods <jwoods@rockvillemd.gov>; Christine Henry <CHenry@rockvillemd.gov>; Steve Mader <smader@rockvillemd.gov>; Michael England <mengland@rockvillemd.gov>; Laura Lanham <llanham@rockvillemd.gov>
Subject: FW: Comments for King Buick on the Oct 4, 2021 Meeting Agenda

FYI, thanks.

Rob

From: Ilsabe Urban <iurban@yahoo.com>
Sent: Sunday, October 3, 2021 7:51 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Comments for King Buick on the Oct 4, 2021 Meeting Agenda

I have been attending most of the meetings for this proposed developments and have spoken at a number as well. So I just wanted to include the current comments and some questions that I have. I do not feel a need to speak at the meeting if these comments are noted and the questions answered:

1. I do have a lot of concerns related to traffic. I wanted to say that I do appreciate the current changes with the extra turn lane on the exit to 355, the proposed lighted intersection to 355 and the current changes for pedestrian safety at the intersection to Pleasant Drive and Piccard. That said, I still have concerns about extra traffic on Piccard and Grand Champion, especially in regards to not just the volume, but that the speed of the extra traffic might bring if those streets are regarded as more of a thoroughfare.
2. I do have a problem with the lack of trees in the middle of the development. Currently they are pretty much just at the edges. It does seem like the current arrangement would create more of a heat island in

the development and have more of an impact on the surrounding environment that if the houses had more trees coverage around the streets. EYA said in the last meeting that with smaller trees that they would need to plant in the current arrangement would be a problem because too many homeowners would cut them down. However, as there is an HOA as part of this development, it seems there will be oversight in that area and that this does not seem like a particularly relevant excuse.

3. I am also concerned with the changes in overall atmosphere that having so many buildings so close to both the Mattie Stepanek Park and the King Farm Farmstead will have. Especially with the King Farm Farmstead it would be ideal if it could maintain some of the atmosphere of having been a working farm vs being something that feels like something that has been allowed to exist as an afterthought. In short, I am concerned about the amount of space and screening between the development and the King Farm Farmstead.

Related, I am not in favor of the current proposal to have parking spaces built by the developer for the city in the Farmstead area before a designated use has even been decided. This seems to further eat away at the nature of the Farmstead without even the benefit of a clear use. Additionally it will require maintenance and then supervision so that it is not used by commuters, again without a clear reason for its existence.

4. Finally, I did have a question about schools. I think it has been addressed, but under the current plan, could you please revisit where the students will be assigned? And are there other pending projects that are projecting additional students into the same schools? How many additional students would this be with all developments considered? Also, does City have a different Utilization cap than the County (120%)?

Thank you.

Ilsabe Urban
1108 Grand Champion Dr
Rockville, MD 20850

206-466-8115

From: [David Levy](#)
To: [John Foreman](#); [Dan Long](#); [Sachin Kalbag](#)
Subject: Fwd: Join public hearing
Date: Tuesday, October 5, 2021 1:18:56 PM

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From: Robert DiSpirito <rdispirito@rockvillemd.gov>
Sent: Tuesday, October 5, 2021, 1:16 PM
To: Ricky Barker
Cc: David Levy; Jim Wasilak
Subject: FW: Join public hearing

-----Original Message-----

From: Manu Vandhna <manuvandhna@gmail.com>
Sent: Tuesday, October 5, 2021 12:50 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Join public hearing

We are residents of Kings Farm. We would like to join the hearing on October 18, 2021 at 7pm. This is in regards to the development 16160/16200 Fredrick road and Parcel P170.

My name is Manu Kaushal. My cell is 571-234-2715.

My wife's name is Vandhna Sharma. Cell is 209-244-8391.

Thank you.

Manu Kaushal, MD

Sent from my iPhone

Comments for 10/04/21 Mayor and City council Meeting
Please include in the record

Re: annexation recommendation

Dear Mayor Newton and City Council Members;

Thank you for this opportunity to address you and provide citizen input regarding the proposed annexation and zoning text amendment. I am grateful for your work on behalf of our city.

I am a neighbor of the proposed new development. My husband and I have lived on Grand Champion Drive for 5 years, I am on the board of my condo association and have a plot in King Farm Farmstead community garden.

I have no objection to the development of the King Farm Buick dealership property as housing under the mixed-use corridor zone. It could be annexed and developed but the adjacent property should be preserved as much as possible.

I object to the development of the adjacent vacant property of 10.34 acres owned by Frederick Road Limited Partnership controlled by the Aschenbach family. I do understand there is intent to sell this property to EYA. I also understand this property has been zoned in anticipation of development.

The Frederick Road Partnership property is considered “unimproved”. While I understand this is a technical term used in planning, it is important to look at the real life meaning of words we use. The term implies that disrupting the ecosystem of the wildlife, wildflowers, and trees there will improve its value to the community. Just the opposite is true. The community, city and surrounding areas benefit tremendously from the carbon sequestration provided by the more than 54 mature trees, other shrubs, and existing ecosystem. The property is viewed as a park by many in the community, unaware of the zoning or plans of its owners. It is an open, inviting space that is a natural extension of the historically protected King Farm Farmstead. Disrupting the landscape with densely built townhomes and condominiums will remove a resource, not improve it.

Our city and county are developing climate action plans. At some level, executives and legislators need to reconcile the need to prevent climate catastrophe with the need to provide housing. While encouraging housing near metro stations is sound policy, at some point, the ever-increasing density of development will undermine the larger policy goals, namely, lowering our carbon footprint and ameliorating the climate change crisis.

Beyond the need to leverage as much land and vegetation as possible for carbon sequestration, our planning system must evolve to recognize and act on the evidence that providing access to green space is an important determinant of our physical and mental well-being. Leaving the

existing green space as it is will provide these health benefits to both the residents of the new townhouses and King Farm.

It is time for the Rockville's leaders to recognize what climate change is telling us about our relationship with our surroundings and to protect our health, both in the long-term and immediate future. Correcting the developer-biased mindset that land in its natural state is "unimproved" is a critical step in that direction.

In this case, it makes sense to deny the development plans of the Frederick Road Partnership parcel and encourage EYA to make a new plan to develop King Buick parcel while leaving the mature trees and wildlife habitat intact as much as possible. EYA should be able to load the housing onto the Buick parcel and use the already existing park-like parcel for the community.

Another legislative and policy approach would be to re-zone underutilized office buildings to repurpose them as housing. The office buildings on King Farm Boulevard are convenient to metro and all the King Farm amenities and appear to have a lot of vacant spaces. This would not involve disrupting natural spaces.

There was some debate at the last planning meeting about a requested exception to the number of trees required to be planted on each townhouse property. I believe the request was to reduce the number to zero based on the idea that the number of trees on the total community would meet the requirement. Newly planted trees will take a long time to remove the carbon and filter the water as much as already existing trees do. Why not require the existing trees to stand?

I attach photos and notes of the trees in the area to be developed.

Sincerely,

Nancy Katherine Deshler Gould
301-254-5849
802 Grand Champion Drive, # 401

Attachment: July 29, 2021, photos of Frederick Road Partnership parcel

6 white mulberries border sediment pond



Clump of at least 15 trees where gravel is piled (facing north toward King Buick)





Clump of at least 24 trees just north of farmstead picnic shelter



At least seven good sized trees to east of picnic shelter



Two free standing trees in field northwest of picnic shelter



October 1, 2021

To: Mayor Newton and City Councilmembers

From: Martha Morris, 919 Grand Champion Drive, King Farm, Rockville 20850, 301-652-3842

Re: Comments on Agenda item for October 4 Mayor and Council Meeting:
Annexation of property for King Buick proposed development

Overall, I am opposed to this annexation/development. I understand the need for housing near Metro and that the County has designated the I-270 corridor for infill development. But I object to this particular parcel of land being developed for dense, expensive, environmentally insensitive housing.

- The property proposed for annexation, the existing green space adjacent (north) of the Farmstead, is an oasis in the middle of dense urban activity. It provides a welcoming, sweeping view to the Farmstead as one drives south on Frederick Road. The field and mature trees provide a significant carbon sink and an important home for wildlife. This development is in opposition to the City's own Climate Action Plan (which was never mentioned in any of the numerous meetings I attended), which states, *"Implement plans to preserve and enhance ecologically valuable green spaces. Restore and manage natural ecosystem functions to increase capacity to adapt to a changing climate."* During the pandemic, we have learned how much natural, open spaces contribute to our mental and physical health; and maintaining and enhancing Rockville's tree canopy is a priority in the City's 2040 plan. At a previous meeting, the Mayor and Council waived their own tree requirement in exchange for more MPDU's. Why is this a zero-sum equation? Why can't you enforce the tree requirement AND have more MPDU's?
- The development as presently designed is completely out of character with the design of King Farm's neighborhoods, which incorporates walkable and safe pathways, numerous pocket parks, green spaces, attractive classic architecture, and spacious amenities. The proposed development is too dense, too close to adjoining properties, and will create too much traffic feeding into Mattie Stepanek Park and King Farm residential neighborhoods. The proposed parking lot will intrude on the historic nature of the Farmstead and cancel the important environmental benefits of the Community Garden.
- The estimated price range for the townhomes, \$600,000-\$800,000, is hardly "affordable housing." I well understand MPDU's, but if the sale price for the non-MPDU's is three-quarters of a million dollars, this is well out of the price range of ordinary folks. The median household income in Rockville is \$106,000; reliable mortgage calculators advise the maximum home price a household could afford at this level of income is \$300,000. So even the MPDU's will be out of the reach of the ordinary potential homebuyer!

Specifically, I would like to see commitments from the City on the following, should the proposed development go forward:

- Pledge to **permanently protect the Forest Conservation Easement** along the Farmstead, Piccard Drive, and Pleasant Drive. The net increase in the number of trees that the developer has offered does not calculate a comparison of the biomass: mature trees will be replaced with 10' trees, according to the project plans. This is insufficient.
- Pledge to **stop further encroachment on the Farmstead**. Delay building proposed new parking lot on Farmstead property. Or better yet, scrap the plan.
- Pledge to **require maximum setback** of the development facing Frederick Road, Farmstead, Pleasant Drive, and the dog run.
- Pledge to **install traffic-calming measures** on Grand Champion, Piccard and Pleasant Drive. Consider installing a traffic light at the corner of Piccard and Pleasant Drive.

###

From: [Alex Gurzau](#)
To: [Sachin Kalbag](#)
Subject: Project Plan Application PJT2021-00013
Date: Wednesday, August 18, 2021 4:25:45 PM

Sachin,

I am a resident of King Farm and got a mailed packet on the development PJT2021-00013.

I'm curious how can they expect that this will be approved to be rezoned to mixed-use corridor district when there don't appear to be anything but housing units and amenities available only to those residents.

It would seem there should at least be some shops or something that would benefit the community as a whole.

I also wonder what they are doing in terms of noise. They are building hard up against the King Farm neighborhood. Do they plan on constructing temporary berms or something to reduce construction noise levels?

Finally, is there any consideration for how this development would impact the Mattie Stepanek park? Those parking lots and the dog park are already at capacity during weekends. Shouldn't there be some concomitant expansion of the park facilities to go along with this development?

Thanks

Alex Gurzau
1100 Pleasant Cir
Rockville MD 20850
609-558-3753

--

Alex Gurzau
agurzau@fastmail.com

From: [Sachin Kalbag](#)
To: [Kate Gould](#)
Cc: [John Foreman](#)
Subject: RE: DRC meeting from June 3rd
Date: Thursday, August 19, 2021 2:14:00 PM

Ms. Gould,

Please see our answers to your questions below in red. Let me know if you have any other questions or comments.

Thanks,
 Sachin

Sachin Kalbag, AICP

Principal Planner
 Planning and Development Services
 City of Rockville
 111 Maryland Ave, Rockville, MD 20850
skalbag@rockvillemd.gov

1). Will the access road into the farmstead from Grand Champion Drive be opened to traffic or continue to be limited access? Currently it is a gated gravel road, opened for official city use only, such as maintenance.

City's intent is that the proposed parking lot will only be accessed from Rt. 355 from the existing access for vehicles and pedestrians

2). The Farmstead picnic pavilion is immediately adjacent to the proposed townhomes. The picnic pavilion (the haybarn in the historically designated farmstead) can be reserved through Rockville's recreation department and is otherwise available on a first come basis. My neighbors and I observed during covid more people than ever are utilizing the picnic pavilion for birthday parties, large family gatherings and events. This often involves music as is consistent with its intended use. Recent polls accessible in nationwide publications indicate that most people are likely to continue this pattern of increased outdoor socializing. Both the picnic pavilion and the dog park will be subject to noise complaints from the new townhome neighbors. From looking at the revised project plan, it appears that at least 14 homes are close enough to the dog park to hear the noise of large dogs playing and barking. 5 or 6 homes are close enough to the picnic pavilion to be bothered by the noise of large parties. Is the current buffer enough to address this?

A landscaped buffer will be provided adjacent to the dog park with acoustic rated windows and other building materials should be sufficient to mitigate sound from the dog park to the park facing townhomes. The developer will also include information in the HOA documents to identify and acknowledge the parks and their activities.

3). If the proposed Farmstead parking spots are built as part of the annexation concession, will the current sediment pond be adequate to handle additional run off from the parking lot? We have noticed that the current sediment pond fills after a day or two of heavy rain. Will it be possible to use a permeable surface for the parking area and still be ADA compliant?

The stormwater management (SWM) facility located along Pleasant Dr. will not be impacted by the proposed development or the Farmstead parking lot. The existing SWM facility provides treatment for Pleasant Dr. and a portion of Mattie Stepanek Park. The proposed development and the Farmstead parking lot will be required to provide separate SWM facilities on-site. Environmental Site Design (ESD) treatment practices must be used to treat runoff from one (1) inch of rainfall on all new development projects. A permeable pavement surface is an acceptable ESD treatment practices, but the developer may propose to use another accepted practice.

The parking lot will be built to meet ADA requirements and will provide two ADA parking stalls and pedestrian paths to the Farmstead. Appropriate landscaping, which is preferred to screening, will be investigated between the parking lot and adjacent Farmstead structures, to minimize visual impacts. The landscape plan will reinforce the historic characteristics of the site in its proposed tree and plant species.

4). What is the “virtual area meeting” on 8/31 and is public participation an option? How is it being publicized? I noticed it only on the development watch newsletter, but not on the website.

The public can virtually attend the post application area meeting for King Buick scheduled for August 31st at 7:00 by WebEx. The meeting will be publicized by a variety of social media tools, including the City’s website. The meeting is now posted in several places:

On the calendar <https://www.rockvillemd.gov/calendar.aspx>

Under upcoming area meetings here - [Development Watch | Rockville, MD - Official Website \(rockvillemd.gov\)](https://www.rockvillemd.gov/development-watch)

The project page here - <https://www.rockvillemd.gov/2348/16200-Frederick-Road-King-Buick-Redevelop>

The invitation with WebEx link has been sent out by mail to residents and business within 1,250-foot radius from the development site. We will also utilize the City’s email lists. At the August 31st meeting, the developer will describe how the property will be developed and will answer questions from the public.

5). What are the upcoming dates for all meetings? These seem to change, and I would appreciate the most recent listing of the meeting dates and whether the public can access them. (I would also note that the URL for virtual meeting participation is not user friendly, and people who are not tech savvy are unlikely to be successful using it. I participate in webex and zoom meetings for my work and the technology is much easier to handle.)

The next public meeting is planned for August 31st and Planning Commission public hearing is scheduled for September 22nd at 7 pm to review the Project Plan. These and all upcoming dates can also be found on the project page within Development Watch <https://www.rockvillemd.gov/2348/16200-Frederick-Road-King-Buick-Redevelop>.

The public is welcome to speak during any item with a public hearing, such as the Planning Commission on the 22nd. However, all Mayor and Council meetings are public, so even if an item is not posted for a public hearing, anyone is free to sign up and speak during the community forum.

Agendas with links to the meetings and instructions for speaking are posted a week in advance on the city’s website

<https://www.rockvillemd.gov/agendacenter>

6). Will the proposed Farmstead parking be restricted from being used by metro commuter? The parking lot is not intended to be a commuter lot

How will this be enforced? Signage and promotion that it is not a commuter lot. Enforcement will be determined as needed, example the City may close the lot with a barrier when not in use by the Farmstead and/or parking enforcement with tickets and towing, if necessary.

Will the new townhouse owners be permitted to use it for guest parking? As good neighbors do, the City may work with the HOA to use the parking lot occasionally, but the townhouse community will have all their required parking for residents and visitors on their site. The proposed parking lot is not intended to be used as overflow parking for the new community.

There is a ride-on stop right where the parking lot is, and it takes riders directly to the Shady Grove metro station.

7). I realize there are code and regulatory restrictions regarding parking, noise and litter for the developer’s contractors during construction. Can you direct me to the place where I can view these requirements and please inform me whether there will be any additional requirements specific to this development? This development will most likely burden the garden and Farmstead as well as neighbors during construction.

The City recognizes the importance of maintaining vehicle and pedestrian access within the neighborhood. The City will issue a Public Works (PWK) permit in accordance with Chapter 21 of the City Ordinance (https://library.municode.com/md/rockville/codes/code_of_ordinances?nodeId=CICO_CH21STRORI-WPUIM) and requiring that adequate contractor parking and maintenance of traffic and signage is provided during construction. Construction and contractor parking will not be permitted on residential neighborhood streets. Work zone control must be in accordance with the Maryland

Manual on Uniform Traffic Control Devices, <https://www.roads.maryland.gov/mdotsha/pages/index.aspx?PagelD=835>.

Safety requirements, including dust and fumes, are regulated by Maryland Occupational Safety and Health (MOSH), <https://www.dlir.state.md.us/labor/mosh/>.

Erosion and sediment control must be provided during construction per Maryland Department of the Environment (MDE) standards and specifications,

<https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Pages/erosionsedimentcontrol.aspx>.

The City will issue a Sediment Control Permit (SCP) permit in accordance with Chapter 19 of the City Ordinance (https://library.municode.com/md/rockville/codes/code_of_ordinances?nodeId=CICO_CH19SEFCOSTMA_ARTVERSECO).

Noise is regulated by the Montgomery County Department of Environmental Protection. Please contact MC311 during business hours (7am - 9pm weekdays and 9am - 9pm on weekends & holidays) or contact the police non-emergency line at 301-279-8000 if noise disturbances happen outside of regular business hours. There is also an option to file a complaint through the DEP website: <https://www.montgomerycountymd.gov/DEP/contact/noise.html>.

From: John Foreman <jforeman@rockvillemd.gov>
Sent: Friday, August 13, 2021 3:43 PM
To: Kate Gould <kategould@me.com>
Cc: Sachin Kalbag <skalbag@rockvillemd.gov>
Subject: Re: DRC meeting from June 3rd

Ms. Gould

I have received your email. I have copied the project planner, Sachin Kalbag, who will be responding. The topics of your questions span several departments, so it will take some time to prepare. We will have a response for you next week. Thanks, and have a great weekend.

John Foreman, AICP

Development Services Manager
 Planning and Development Services
 City of Rockville
 111 Maryland Ave, Rockville, MD 20850
 240-314-8262
jforeman@rockvillemd.gov

How was your experience with us? Take a quick survey and let us know - <https://www.surveymonkey.com/r/JD9CWXC>

From: Kate Gould <kategould@me.com>
Sent: Friday, August 13, 2021 12:10 PM
To: John Foreman <jforeman@rockvillemd.gov>
Subject: Re: DRC meeting from June 3rd

Dear Mr. Foreman,

Thank you again for your assistance in the past with answering my questions. I write to follow up on the King Buick Development proposal, 16200 Frederick Road. As you recall, I am a neighbor of the development. My husband and I own a condo on Grand Champion Drive and I am a member of the King Farm Community Garden. I am also on the board of my condominium association, King Farm Village Center Condominium 1. I feel a responsibility to my community to make sure this development proceeds well for all involved.

I have been trying to follow the project's progress. I was able to watch the video of the Mayor and Council meeting of 7/19. I was unable to attend the 8/10 meeting where the Historic District Commission courtesy review was discussed but have looked at the website.

Here are my questions:

1). Will the access road into the farmstead from Grand Champion Drive be opened to traffic or continue to be limited access? Currently it is a gated gravel road, opened for official city use only, such as maintenance.

2). The Farmstead picnic pavilion is immediately adjacent to the proposed townhomes. The picnic pavilion (the haybarn in the historically designated farmstead) can be reserved through Rockville's recreation department and is otherwise available on a first come basis. My

neighbors and I observed during covid more people than ever are utilizing the picnic pavilion for birthday parties, large family gatherings and events. This often involves music as is consistent with its intended use. Recent polls accessible in nationwide publications indicate that most people are likely to continue this pattern of increased outdoor socializing. Both the picnic pavilion and the dog park will be subject to noise complaints from the new townhome neighbors. From looking at the revised project plan, it appears that at least 14 homes are close enough to the dog park to hear the noise of large dogs playing and barking. 5 or 6 homes are close enough to the picnic pavilion to be bothered by the noise of large parties. Is the current buffer enough to address this?

3). If the proposed Farmstead parking spots are built as part of the annexation concession, will the current sediment pond be adequate to handle additional run off from the parking lot? We have noticed that the current sediment pond fills after a day or two of heavy rain. Will it be possible to use a permeable surface for the parking area and still be ADA compliant?

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6). Will the proposed Farmstead parking be restricted from being used by metro commuter? How will this be enforced? Will the new townhouse owners be permitted to use it for guest parking? There is a ride-on stop right where the parking lot is, and it takes riders directly to the Shady Grove metro station.

7). I realize there are code and regulatory restrictions regarding parking, noise and litter for the developer's contractors during construction. Can you direct me to the place where I can view these requirements and please inform me whether there will be any additional requirements specific to this development? This development will most likely burden the garden and Farmstead as well as neighbors during construction.

Thank you very much for your assistance.

Kate Gould
Kate Gould
kategould@me.com

On Jun 14, 2021, at 2:58 PM, John Foreman <jforeman@rockvillemd.gov> wrote:

Ms. Gould

Thanks for reaching out. The Development Review Committee meeting last week was a meeting of staff finalizing their review of the request. The meeting was not recorded. There is another meeting of the DRC this week in which staff will provide these comments to the applicant. The public is welcome to attend these meetings, but there is not a public hearing and no decision will be made on the project.

The applicant has applied for a project plan. This application type is decided by the Mayor and Council following a briefing and a public hearing and a recommendation from the Planning Commission. The Planning Commission briefing, the first step in this process, is currently scheduled for June 23. The additional meetings for this, including the public hearing, are projected to take place in the fall. Both the Planning Commission and Mayor and Council meetings are recorded.

The Planning Commission agenda and link to the video will be on this page when it is available later this week
<https://www.rockvillemd.gov/AgendaCenter/Search/?term=&CIDs=4,&startDate=&endDate=&dateRange=&dateSelector=>

Additional information about the project is available here - <https://www.rockvillemd.gov/2348/16200-Frederick-Road-King-Buick-Redevelop>

I'm happy to answer any additional questions you may have, either by email or by meeting if you'd prefer. Please let me know

Thanks

John Foreman, AICP

Development Services Manager
Planning and Development Services
City of Rockville
111 Maryland Ave, Rockville, MD 20850
240-314-8262
jforeman@rockvillemd.gov

How was your experience with us? Take a quick survey and let us know -<https://www.surveymonkey.com/r/JD9CWXC>

From: Kate Gould <kategould@me.com>
Sent: Friday, June 11, 2021 3:08 PM
To: John Foreman <jforeman@rockvillemd.gov>
Subject: DRC meeting from June 3rd

Hello,

I own a condo in King Farm and am interested in learning more about the proposed development on Rockville Pike where the King auto dealership is now. I understand there was a meeting of the Development Review Committee on June 3rd which covered this development application.

Was the meeting recorded? I would like to listen to or view the recording if so and would appreciate your sending a link to the recording if possible.

I would appreciate any additional information about this development application and would appreciate your assistance in helping me to locate that information.

Thanks very much.

Kate Gould
802 Grand Champion Drive, Apartment 401
Rockville, MD 20850
kategould@me.com
301-254-5849



Mayor & Council Meeting Date: October 18, 2021
 Agenda Item Type: Discussion and Instructions
 Department: PDS - Development Review
 Responsible Staff: Sachin Kalbag

Subject

Discussion and Instruction: Project Plan Application PJT2021-00013, for the Construction of Approximately 252 Townhomes and 118 Two-Over-Two Multi-Family Units in the MXCD (Mixed-Use Corridor District) Zone at 16200 Frederick Road (King Buick) and Parcel P170, EYA Development, LLC, Applicant

Recommendation

Staff recommends that the Mayor and Council discuss the proposed application and provide instruction to staff on next the steps for Project Plan PJT2021-00013, to construct 252 townhomes and 118 two-over-two multi-family units at 16200 Frederick Road.



Overview

Case: PJT2021-00013

Location: 16160/16200 Frederick Road

Staff: Sachin Kalbag, AICP, Principal Planner
 Planning and Development Services
 skalbag@rockvillemd.gov

Applicant: EYA Development, LLC

8800 Hampden Lane, Suite 300
Bethesda, MD 20814

Filing Date: May 3, 2021

Discussion

Site Description

The Property comprises two main components: 16160/16200 Frederick Road (the "Frederick Road Lots") and Parcel P170 (the "City Parcel"). The Frederick Road Lots contain approximately 11.96 acres and are more particularly known as Parcels A and C, King's Addition to Shady Grove, as depicted on Plats No. 7936 and 10684 recorded among the Land Records of Montgomery County on August 23, 1965 and September 4, 1973, respectively. The Frederick Road Lots are improved with the King Buick/GMC/Mitsubishi automobile dealership and service facility, along with associated surface parking lots. The Frederick Road Lots portion of the Property is currently located in unincorporated Montgomery County and classified in the GR (General Retail)-1.5 H-45 zone. Victor, Inc., which is the current owner of the Frederick Road Lots, has submitted a petition to annex the property into the city together with the abutting Frederick Road right-of-way. The Mayor and Council recently introduced a resolution to enlarge the city's corporate boundaries and had a public hearing on the requested annexation on May 17, 2021. On September 13, 2021, Mayor and Council authorized the City Manager to approve an annexation agreement that contains terms for development of the property, as well as commitments from both EYA and the City. On October 4, 2021, the Mayor and Council approved the annexation and associated zoning of the property.

The other component of the Property is the parcel located in the city, which is an unrecorded and unimproved parcel containing approximately 10.34 acres of land. The City Parcel is currently located within the corporate boundaries of the City of Rockville and is classified in the MXCD (Mixed-Use Corridor District) zone. The combined area of the Frederick Road lots and the City Parcel is approximately 20.35 acres. The applicant has entered into a contract to purchase and redevelop the Property with the Project.

To the Property's south is the King Farm neighborhood, which is a mixed-use community containing single-family and multi-family homes, parks (including the Mattie J.T. Stepanek Park and the King Farm dog park), retail businesses at the King Farm Village Center, and employment uses. The King Farm Farmstead abuts the Property to the southeast. The Property fronts Frederick Road (Maryland Route 355), which provides convenient access to the regional road network, including Interstate 370, Maryland Route 200 (the Intercounty Connector), Shady Grove Road, and Interstate 270. Additionally, the Property is located within walking distance of the Shady Grove Metrorail station, which provides Metro service to Glenmont via the District of Columbia and offers access to numerous Metrobus, Ride On, and Maryland MTA bus routes. The Maryland Route 355 corridor in the vicinity of the Property contains a diverse mix of uses, including professional offices, retail businesses, hotels, industrial space, multi-family buildings, and community facilities.

Project Description

The Project is envisioned as a walkable and transit-oriented residential neighborhood with a range of unit types, a street grid with public streets and private alleys, desirable community amenities, welcoming open spaces, and attractive landscaping. The Project proposes 370 total dwelling units comprised of 252 townhouses with front and rear-loaded garages, and a variety of widths (expected to be 14 feet wide through 24 feet wide), and 118 two-over-two multi-family units. The Project locates the two-over-two condominium units along the Property's Frederick Road frontage, with the townhouses sited at the Property's sides, rear, and interior. The two-over-two condominium units and townhouses in the Property's interior will be accessed by rear-loaded alleys, while the townhouses located on the Property's perimeter will be served by front-loaded driveways and rear yards that provide an additional buffer to adjacent properties. All dwelling units will provide one required parking space on each respective lot. The maximum building height for the Project's residential buildings is proposed to be 55 feet along the Frederick Road frontage.

The architecture of the townhomes employs a variety of exterior materials and finishes that add pedestrian scale to the façade and street frontage. For both townhomes and two-over-two multi-family units, the base of the building utilizes brick veneer with concrete stoops and metal canopies at the entries. Horizontal siding is used for the exterior walls (with vertical siding accents at the two-over-two's). Each of the dormers are capped with a built-up cornice. The brick veneer has subtle variation in color, with terra-cotta, beige and warm gray used to differentiate different townhomes. An 8-inch masonry soldier course bond is built above the first floor to add scale and a crisp shadow line.

The Project also includes a system of public use spaces and open areas which are distributed throughout the Property. Specifically, the Project proposes areas around the community amenity space with a pool as public open space, which will be programmed for passive and active recreation, as well as in multiple pocket parks with open lawn areas and seating that encourage gathering, recreation, and social interaction. The Property's Frederick Road frontage is also provided as public use space, which will create a welcoming and inviting presence for pedestrians, cyclists, and motorists. Portions of the Project's open areas will be enhanced with numerous landscaping, including shade trees, ornamental trees, evergreen trees, shrubs, as well as lawn areas.

The Project's proposed public use space includes an approximately 75-foot-wide easement area on the Property's northwestern edge, between the Project and the existing businesses towards Shady Grove Road, which the Applicant has coordinated with WSSC to program a proposed natural trail in a meadow setting with plantings, as well as lawn areas for active and passive recreation. The Project will also include a new pedestrian connection from the Property to the adjacent Mattie J.T. Stepanek Park.

The Project will be accessed along Frederick Road with a new public street (identified as Public Street A), as well as a new connection to Pleasant Drive (identified as Public Street F). The Project's other interior public streets (Public Streets B, C, D, E) will effectively distribute traffic from these access points to the Project's residential units and amenities, while discouraging cut-through traffic to King Farm by eliminating a direct connection from Frederick Road to Pleasant Drive. The public streets will also include five and six-foot-wide sidewalks and planting strips with street trees to encourage pedestrian activity. Along Public Street 'F', there is a children's play area, as well as pedestrian connections to Frederick Road and the Farmstead. On-street spaces will be included in the public streets to accommodate parking for visitors and users of the community amenity. Private alleys will serve the rear-loaded residential units.

Per Sec. 25.07.02 of the Zoning Ordinance, based on tract size, number of expected dwelling units, residential area impact, and anticipated traffic impact, the Project will require approval of a Project Plan by the Mayor and Council with subsequent Level 2 Site Plan(s) approved by the Planning Commission.

Once an annexation occurs, the owners or developers of the annexed property are eligible to receive approval of regulatory plans to develop the property. The Applicant elected to submit its Pre-Application Meeting (PAM) application and initiate this project plan application while the proposed annexation is pending. The applicant filed the PAM application on December 11, 2020 and met with the Development Review Committee (DRC) on January 21, 2021. The project plan application was filed on May 4, 2021, and the DRC was held on June 17, 2021.

The application has been filed and processed as a Project Plan, which requires a recommendation from the Planning Commission, followed by a public hearing at Mayor and Council. Upon hearing all evidence, the Mayor and Council will render a final decision on the proposed project plan via adoption of a resolution, incorporating the findings as required by Section 25.07.01.b.2 of the Zoning Ordinance. If the application is approved, the Mayor and Council will establish a time period in which construction of the approved project plan must commence. After approval of the Project Plan, the Planning Commission will consider a site plan, or multiple site plans if the project is phased, implementing the Project Plan. The applicant filed the site plan application for the entire site on August 16, 2021.

Project Analysis

Master Plan Compliance

The Project is consistent with the 2040 Comprehensive Plan ("2040 Plan"), which was adopted by the Mayor and Council on August 2, 2021. The project is consistent with Comprehensive Plan Land Use Policy designation of OCRM (Office, Commercial and Residential Mix) for both the lot within the City boundary and that proposed for annexation. The project is also consistent with Action 5.3 ("Encourage architectural variety for townhouse and row house developments, and individual outdoor space that allows for individual expression and landscape variety.") and Action 6.1 ("Coordinate provision of neighborhood amenities as part of the approval process for

conversions of commercial uses to residential uses. Allow for publicly and/or privately built and maintained parks, recreation amenities, and open space to serve this need, as appropriate.") of the Land Use Element, as well as Item 1 of Other Policy Recommendations in Planning Area 16 ("Support the annexation agreement and proposed residential development for the former King Buick properties on MD 355. New residential development in this area would be support to the King Farm Village Center.")

The project advances many of the goals of the 2040 Plan which features providing new housing that includes townhomes, two-over-two's, and 58 MPDUs to meet the wide range of community needs, especially "missing middle" and affordable units, in walkable nodes near transit. New residents can support nearby existing retail uses, such as the King Farm Village Center. Annexing the Frederick Road lots to accommodate the Project will also serve the City's interests, encourage reinvestment near the Shady Grove Metrorail station, and be accommodated by existing public services. Similarly, the Project is harmonious with the 2040 Plan's Planning Area 16 objectives for the King Farm and Shady Grove neighborhood by enhancing the Frederick Road streetscape with buffered sidewalk and cycle track, ensuring the incorporation of park space to meet the needs of new residents, and providing public amenities, open space and pedestrian pathways, including connections to Frederick Road, Mattie J. T. Stepanek Park, and King Farm Farmstead from the Project.

This project fully complies with the provisions of the approved 2017 Bikeways Master Plan and incorporates provisions for the MD 355 Montgomery County Bus-Rapid Transit (BRT) Project, currently in the planning stage.

Zoning Ordinance Compliance

The site is zoned Mixed Use Corridor District ("MXCD"). Staff has reviewed the proposed development for compliance with the Zoning Ordinance and finds it to be consistent with those requirements. All development standards and open area and public use space requirements have been met. In addition, the applicant has complied with the landscaping and parking requirements of the ordinance.

MXCD (Mixed-Use Corridor District) Development Standards (Sec 15.13.05)								
	Maximum Height	Building Setbacks					Min. Public Use Space	Min. Open Area
		Front	Side		Rear			
			Residential Land Abutting	Non-Residential Land Abutting	Residential Land Abutting	Non-Residential Land Abutting		

Allowed Required	75 Feet	Not Required	25' or height of building, whichever is greater	None required. 10' min. if provided	25' or height of building, whichever is greater	None required. 10' min. if provided	10%	15%
Proposed	45-55 Feet	0	N/A	0	N/A	0	13.8%	42.4%

Parking (Sec 25.16.03)		
Land Use	Minimum Required	Proposed
Townhome, 188, rear load (2 per unit)	376	376
Townhome, 64, front load (2 per unit)	128	128
Stacked Condominium (1.5 per unit)	177	177
Community Center	10	10
Visitor Parking on front load driveways	0	128
Visitor Parking on condo driveways	0	59
On-Street Visitor Parking	0	95
Total	691	973
Accessible Parking		
On-Street Visitor (per PWOMAG Sec R214)	5	5
Community Center (on-street)	1	1

Bicycle Parking (Sec.25.16.03)		
	Required	Provided
Townhome/Stacked Condominium	0	0
Community Center		
Short Term Space (2/10,000 SF)	2	2

Parking for the Proposed Community Center

Based on the parking requirements in the Zoning Ordinance, ten (10) off-street parking spaces are required for the proposed community center. Instead of providing parking on-site, the applicant is proposing to provide on-street spaces to meet the requirement, including an ADA accessible space. In the MXCD zone, the Mayor and Council, in the approval of a project plan, have the authority to reduce the required number of parking spaces for uses in the building or buildings to be constructed, provided that the criteria are met. This section provides Mayor and Council discretion in allowing reductions, including “for good cause shown.” Staff has reviewed and found that all other parking requirements are met, and visitor parking on the project overall is provided at a rate of .76 spaces per unit, exceeding the recommended ration of .50, including 95 on-street spaces. Since there are more than adequate spaces on the street, staff finds that reducing the parking on the community center site to zero and providing ten (10) on-street spaces nearby, the area for the community center is maximized, while the parking needs are met, and is in support of this proposal as stated in the annexation agreement.

Open Area and Public Use Spaces

The Project exceeds the requirements for open area and public use space. Specifically, the Project provides 42.4% of net lot area as Open Area (376,076 SF) and 13.8% of net lot area as Public Use Space (122,635 SF). Section 25.13.05(b) (I) of the Zoning Ordinance requires 15% Open Area and 10% Public Use Space in the zone. Public Use Space connects Frederick Road along A Street as a pedestrian pathway to the main open space at the Community Center and

extends to south of D Street. The Community Center includes a pool, and park elements with residential amenities and hardscaped features. Other public use spaces are located at F Street that includes children's play areas with pedestrian pathway connections to Frederick Road and potentially to the Farmstead and proposed parking lot. A 75-foot-wide easement area designed as a Public Use Space is located at the northwestern edge of the Project, and includes a natural trail in a meadow setting with plantings and lawn areas.

Building Height

The Project fits within the heights and densities allowed in the MXCD Zone. The townhouses will be approximately three floors with an optional loft as the 4th floor at 45-feet in height, and the two-over-two townhome condominiums are 4 floors and 55-feet in height. The Project is building less than the maximum height allowed per the Development Standards of the Zoning Ordinance, since 75 feet is the maximum height for this zone.

Infrastructure/ Adequate Public Facilities Standards (APFS)

Water and Sewer

The proposed development is located within the Washington Suburban Sanitary Commission's (WSSC) service area for water and sanitary sewer. The applicant will construct a network of water and sanitary sewer infrastructure to serve the development that complies with all WSSC requirements. The applicant has received Hydraulic Planning Analysis (HPA) approval from WSSC in a Letter of Findings dated August 11, 2021, which details the sewer and water service required to serve the proposed development. Approval of the HPA is required prior to Project Plan approval by the Mayor and Council.

Schools

According to the Montgomery County Student Generation Rates for Housing Types in Turnover Areas (effective January 1, 2021), the Project is projected to generate approximately 61 new elementary students, approximately 30 new middle school students, and approximately 33 new high school students, or approximately 124 new students for grades K-12. Students generated by the Project would attend Gaithersburg High School, Forest Oak Middle School, and Rosemont Elementary School. According to the adopted FY22 Education Facilities Master Plan and Amendments to the FY 2021-2026 Capital Improvements Program, Forest Oak Middle School, and Rosemont Elementary School are projected to have adequate school capacity based on School Projections for September 2026 to accommodate students generated. Projections indicate enrollment at Gaithersburg High School will exceed capacity by 200 seats or more by the end of the six-year planning period. Expenditures are programmed in the six-year period to open a new high school on the Crown Farm site to address over-utilization in the mid-county region.

Stormwater Management

Stormwater Management (SWM) for this project will be provided in compliance with the Pre-Application SWM Concept Approval Letter dated June 17, 2021 and the Annexation SWM Concept Approval Letter dated August 31, 2021. The Pre-Application SWM Concept Approval

Letter lists project specific conditions of approval. The Project intends to meet the redevelopment requirements of on-site stormwater management for both Environmental Site Design (ESD) and Channel Protection Volume (CPV) through a variety of measures. ESD facilities are proposed to include permeable pavement in alleyways, roadside micro-bioretenction structures, and larger planter box micro-bioretenction structures. CPV measures are expected to include underground vaults for storage and filtration systems. A monetary contribution is being provided by the applicant in lieu of providing on-site quantity management and the remaining onsite water quality management.

Historic Resources

The site to be developed has been determined to have no historical significance through the NRI/FSD (Natural Resource Inventory/Forest Stand Delineation) review process.

Traffic and Transportation Review

The application prepared a transportation report for review in accordance with the City's Comprehensive Transportation Review (CTR) guidelines, and per the scoping agreement. As of preparation of the staff report, not all review agencies have provided final review comments of the revised transportation report. Upon staff's review, the project will not have a detrimental impact to the studied intersections that were scoped, provided that specific improvements are implemented which are detailed in the approval conditions.

Access

The current site is served by a total of four driveway aprons on MD 355 (Frederick Road), two of which are not currently active. This application proposes to remove three of the existing driveway access points, consolidating all into one improved full-access intersection with MD 355 as a primary site access for the project. The secondary access point to the development is proposed on the southwest corner of the site providing an intersection with the existing Mattie Stepanek Park Road that will become Pleasant Road extended. The provision of the secondary access provides the required redundancy for fire and emergency access. The Project's internal public streets are designed in such a way that they will effectively distribute traffic from Frederick Road to the Project's residential units and amenities, but discourage a direct connection from Frederick Road to Pleasant Drive. The public streets include buffered sidewalks with street trees, in accordance with City standards, encouraging pedestrian activity. On-street parking spaces will be included in the public streets to accommodate parking for visitors and users of the community amenity. Private alleys will serve the rear-loaded residential units.

Traffic

Summary of Findings

The table below summarizes the findings for the existing conditions, background conditions and future conditions for the study intersections, as prepared for the Comprehensive Transportation Review (CTR) and reviewed by staff.

Intersection	Traffic Control	Intersection Capacity		v/c Threshold	LOS Threshold	MOE	2020 Existing Conditions		2024 Background Conditions		2024 Total Future Conditions	
		AM	PM				AM	PM	AM	PM	AM	PM
Frederick Road & Shady Grove Rd	Signalized	1550	1550	0.99	E	CLV v/c LOS	1481 0.96 E	1279 0.83 D	1582 1.02 F	1494 0.96 E	1563 1.01 F	1491 0.96 E
Frederick Road & Full-Access Site Driveway	Unsignalized	1600	1600	0.99	E	CLV v/c LOS	1092 0.68 B	999 0.62 B	1174 0.73 C	1100 0.69 B	1197 0.75 C	1066 0.67 B
Frederick Road & RIRO Site Driveway	Unsignalized	1600	1600	0.99	E	CLV v/c LOS	1099 0.69 B	706 0.44 A	1140 0.71 C	756 0.47 A	N/A N/A N/A	N/A N/A N/A
Frederick Road & Ridgmont Avenue	Signalized	1650	1650	0.99	E	CLV v/c LOS	1146 0.69 B	984 0.60 A	1185 0.72 C	1039 0.63 B	1195 0.72 C	1042 0.63 B
Piccard Drive & Pleasant Drive	Unsignalized	1600	1600	0.89	D	CLV v/c LOS	77 0.05 A	155 0.10 A	77 0.05 A	155 0.10 A	90 0.06 A	166 0.10 A
Park Road & Rear Site Driveway	Unsignalized	1600	1600	0.79	C	CLV v/c LOS	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	25 0.02 A	67 0.04 A

The intersection capacity analysis under existing traffic conditions indicates all intersections operate within acceptable capacity thresholds, as required by the CTR, during both the AM and PM peak hours, with the exception the intersection of Frederick Road and Shady Grove Road, which operates near the required threshold during the AM peak hour.

With the background condition, all study intersections, with the exception of Frederick Road and Shady Grove Road, will continue to operate within acceptable capacity thresholds during both the AM and PM peak hours. The increase in peak hour volume due to growth and background developments is projected to result in the Frederick Road and Shady Grove Road intersection operating slightly above the acceptable threshold in the AM peak hour.

Under total future traffic conditions, all intersections, except the intersection of Frederick Road and Shady Grove Road, operate under the acceptable threshold for AM and PM peak hour. The intersection of Frederick Road and Shady Grove Road will continue to operate slightly above the acceptable threshold in the AM peak hour. This intersection requires no additional mitigation since the CTR requires mitigation, only when the projected volume-to-capacity ratio for total traffic is more than 0.01 (a full one percent) than the projected volume-to-capacity ratio for background traffic. For all conditions, it was assumed that the primary access point, the intersection with Frederick Road, would be improved with a traffic signal.

Bicycle/Pedestrian Access

The site is surrounded by a pedestrian network providing access to points of interest. Proposed enhancements from the development provide access to Mattie Stepanek Park, the King Farm Farmstead, and the existing King Farm neighborhood. Enhanced pedestrian improvements, in line with Vision Zero recommendations, are proposed at the intersections of Street F and Pleasant Drive extended, and Piccard Drive and Pleasant Drive. The applicant proposes buffered sidewalks on both sides of the public roads throughout the site, in accordance with the City's standard residential road section. The Frederick Road frontage will include a 10-foot-wide buffered cycle track, as recommended by the City's 2017 Bikeway Master Plan, along with a

new buffered 6-foot-wide sidewalk. Pending approval from WSSC, a recreational trail will extend from the Frederick Road sidewalk to the western limit of the property, with connections to the proposed neighborhood roadways.

Transit

The site is approximately 0.7 miles from the Shady Grove Metro Station, and existing sidewalks provide a walking route to the station. The nearest bus stop is located approximately 0.1 miles south of the proposed main driveway on Frederick Road. Bus service to this location is provided by Montgomery County Ride-On routes 43, 59, 55, and 67, which run along MD 355.

Environment

Environmental Guidelines

No rare, threatened, or endangered plant or animal species were observed onsite or are recorded among the Maryland Department of Natural Resources records. There are highly erodible soils found within the site.

Forest and Tree Preservation Ordinance (FTPO)

In accordance with the FTPO, the 20.35-acre site is required to comply with all three of the following ordinance requirements: forest conservation, minimum tree cover, and significant tree replacement. The Preliminary Forest Conservation Plan (PFCP) was approved on August 26, 2021, pending Planning Commission approval of the site plan (in addition to approval conditions referenced later in this document). The project proposes to meet all the FTPO requirements, and the attached approval letter that outlines the specifics of the FTPO requirements.

Forest Conservation

The site is required to meet a minimum of 3.09 acres of forest conservation. The developer is proposing to meet this requirement on-site through the retention of existing forest, in addition to the planting of trees for individual tree credit. The applicant is proposing to meet the forest conservation requirement on-site with no requested fee-in-lieu.

Significant Trees

Sixteen (16) significant trees are proposed for removal. The replacement requirement is thirty (30) trees. The Preliminary FCP provides for all the replacement trees to be planted on site including one (1) offsite tree to be replaced offsite.

The applicant is proposing to remove two (2) specimen trees from the site. A specimen tree is defined by the FTPO as a tree that is equal to or greater than thirty inches (30") in diameter at breast height or seventy-five percent (75%) of the diameter of the state champion tree of that species. The applicant has provided justification for the removal of the specimen trees consistent with requirements established in FTPO Chapter 10.5-21(e), which has been approved by the forestry reviewer.

Minimum Tree Cover

The minimum tree cover requirement is 10% of the tract area or 2.05 acres of tree cover. This requirement will be exceeded through new tree plantings on the site to meet forest conservation and significant tree replacement requirements.

Street Trees (Zoning Ordinance Section 25.21.21)

In accordance with the Zoning Ordinance (Section 25.21.21), the developer is required to provide street trees at a maximum spacing of forty feet (40') on center within the public right-of-way (or adjacent if necessary). The developer is requesting a waiver to Section 25.21.21 for street tree requirements as it relates to both spacing and quantity of street trees. Staff has reviewed the waiver request and recommends it for approval by the Planning Commission at the time of Site Plan review. The developer is proposing to remove zero (0) existing street trees for development purposes.

Trees per Residential Lot (Zoning Ordinance Section 25.21.21)

The developer is required to provide a minimum of three (3) trees per residential lot consistent with the Zoning Ordinance. The current ordinance does not call out a specific trees-per-lot requirement for townhome lots; however, staff has proposed an ordinance amendment to define this. Due to the limited lot size for townhomes, there are not adequate areas to plant three trees per lot and meet the required tree area. The proposed development requires seven hundred and seventy-four (774) lot trees to meet this requirement. The developer will request a waiver from this requirement from the Planning Commission. The applicant is proposing that the aggregate tree total planted on the site to meet afforestation and significant tree replacement be allowed to count towards the minimum lot tree requirement, although the trees are provided off the lots. The developer is currently proposing to provide a total of six hundred and eighty-four (684) trees on the site, off the lots. One hundred and eleven (111) of these trees are provided in addition to other forestry requirements on the site. Staff has worked with the developer to maximize plantings under the current site design, supports the applicant's waiver request, and has committed in the annexation agreement to recommend approval of the waiver to the Planning Commission. The Planning Commission has previously approved similar waivers on other townhouse projects. (See the attached letter from the applicant detailing their proposed waiver request).

Landscaping

The development of the site is subject to the current requirements of the City of Rockville Landscape, Screening and Lighting Manual. The approved PFCP/landscape plan is compliant with applicable landscaping standards established in the manual.

Annexation Agreement Compliance

The annexation agreement establishes a concept plan for the development. In addition, EYA and the City both make a number of commitments in the agreement as summarized below.

As part of the annexation agreement, a parking lot with 47 spaces is proposed to be designed and constructed by EYA at the Mayor and Council's preferred location between EYA's development and the three smaller Farmstead buildings. In addition to the location and number of spaces, the agreement outlines the process for design, permitting, and construction. The applicant is responsible for design and construction while the City is responsible for development approvals and permitting. A separate site plan application for the Farmstead site is required and will occur along with the site plan for the residential portion of the Project.

Because the farmstead is designated as historic, the proposed parking lot is subject to Historic District Commission review. The Historic District Commission (HDC) held a courtesy review at their August 1 meeting and provided feedback about the location of the parking lot including landscaping, screening, and the proposed material. Staff will work with the applicant to ensure that this is done for the HDC's consideration.

In addition, the agreement also:

- Establishes that City staff supports:
 - the open space and public use space proposed by EYA;
 - the waiver to the requirement for three trees per lot;
 - flexible parking standards for the community center;
- Commits the City to grant road code waivers;
- Commits the City to re-dedicating a portion of Pleasant Drive for use as a public right-of-way and allows for the development to connect to this portion of Pleasant Drive;
- Identifies other transportation improvements and right-of-way dedication:
 - MD 355 frontage improvements:
 - A 10-foot-wide cycle track and a buffered 6-foot-wide sidewalk along the entire frontage;
 - Full accommodation for the MD355 Bus Rapid Transit (BRT);
 - Full signalization of the main site access on MD355, with interconnections to other signals along MD355.
 - Pedestrian connections to Mattie Stepanek Park and the Farmstead;
 - Recreation pathway through the area encumbered by the WSSC easement;
 - Provision of a secondary vehicular, pedestrian, and bicycle access to the Stepanek Park roadway and Pleasant Drive, with pedestrian enhancements, including curb bump outs and crosswalks;
 - Pedestrian-related improvements at the intersection of Piccard Drive and Pleasant Drive, as well as at the intersection of Pleasant and Piccard drives.
- Provides easements and construction access for the King Farm Farmstead;
- Establishes that undergrounding of existing utilities along Frederick Road is not required except for the electrical connection to King Farm Farmstead;
- Outlines requirements for historic review;
- Establishes terms for compliance with the design guidelines in the Zoning Ordinance.

The proposed development is consistent with the concept plan and these terms of the agreement as detailed throughout this report.

Moderately Priced Dwelling Units (MPDU)

The City Code requires a minimum of 15% MPDU set-aside, which would amount to 56 MPDUs. However, the Mayor and Council instructed staff to work with EYA to try to secure additional MPDUs beyond the code requirement, with the final count to be reflected in the annexation agreement. The annexation agreement commits EYA to providing these two additional MPDUs beyond the 15% requirement, distributed between townhomes and two-over-two units at the following affordability levels:

King Buick Proposed MPDU Distribution				
	AMI Level			
	50%	60%	80%	TOTAL
15% Requirement-56	16	20	20	56
Additional Units-2	0	0	2	2
TOTAL	16	20	22	58

Findings

In accordance with Section 25.07.01.b.2. of the Zoning Ordinance, a project plan may be approved only if the applicable approving authority finds that this application will not:

- a. *Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project;*

The Project includes a mix of residential uses that will enhance the community with a variety of housing options, including needed townhome and two-over-two stacked condominium housing and a MPDU unit mix that will include 39 townhouses, 16 condominiums in two-over-two townhomes. The Project is designed as a walkable community to reduce the impact on traffic. The project complies with all applicable ordinances that ensure health and safety are met as described in this report.

- b. *Be in conflict with the Plan;*

The Project advances many of the goals of the 2040 Plan by replacing an underutilized auto dealership, surface parking lot and undeveloped land with a vibrant residential community, including townhomes, two-over-twos and 58 MPDUs to meet the wide range of community needs, especially "missing middle" and affordable units, in walkable nodes near the Shady

Grove Metro Station. The Project is supported by public use space, open space and pedestrian pathways that connect to and support the Farmstead, Frederick Road and Mattie J. T. Stepanek Park. New residents will also support nearby existing retail uses, such as the King Farm Village Center. Applicant will incorporate high-quality design in all aspects of the Project, including public open spaces and landscaping and thoughtful architecture. The project complies with all applicable ordinances that ensure the public welfare as described in this report.

- c. Overburden existing and programmed public facilities as set forth in article 20 of this chapter and as provided in the adopted adequate public facilities standards;*

The proposal is compliant with all requirements of the Adequate Public Facilities Ordinance (APFO) in that the applicant has adequate means to obtain sewer and water service to the site and meets the transportation and school capacity requirements of the Adequate Public Facilities Standards (APFS). Based on the analysis conducted, the proposed development will not have a detrimental impact on the existing and planned transportation network, provided certain improvements as noted in the approval conditions are implemented. The Project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

- d. Constitute a violation of any provision of this Code or other applicable law; or*

The Project does not constitute a violation of any provision of the Zoning Ordinance or other applicable law. As described, the Project meets or exceeds the development standards for the MXCD zone. Further, parking, lighting, open space, public use space, and landscaping for the Project are all in accord with the City's requirements, as illustrated by the attached plans, subject to the Mayor and Council and Planning Commission approval of the noted waivers. The Project was also specifically designed to comply with the design guidelines for all mixed-use zones, as well as the design guidelines applicable to the MXCD zone.

The Project is compatible with and will complement the surrounding uses and properties. The Project is surrounded by other MXCD zoned properties and the mixed-use Planned Development of King Farm. The Project replaces an outdated auto dealership and surface parking lot with a modern residential community featuring missing-middle housing. It will serve to provide activation of the existing nearby commercial uses and additional ridership to the Metro Shady Grove Station.

- e. Adversely affect the natural resources or environment of the City or surrounding areas.*

The Property is currently improved with largely impervious surface: a one-story auto dealership structure, paved surface parking lots and undeveloped land. The Project will reduce the existing impervious surfaces. It will also include modern storm water management features as detailed on the Storm Water Management Concept Plan. The application meets all forest conservation requirements under City Code Section 10.5-22.

Recommendation and Conditions

In summary, staff concludes that the proposal is compliant with all applicable codes and regulations and recommends approval of Project Plan Application PJT2021-00013, based on the above findings. Staff also recommends that the Mayor and Council approve flexible parking standards for the community center, finding that the applicant's request is consistent with the intent of section 25.16.03.h. To ensure compliance with the findings at the site plan phase, staff recommends approval with the conditions below, to be incorporated into a Mayor and Council resolution of approval. (Please note that staff and the applicant are discussing some of the specific terms of the conditions, and there may be slight changes to these in the final recommendation and resolution).

Planning and Zoning

1. The applicant shall comply with the City's Publicly Accessible Art in Private Development Ordinance. Applicant must provide a concept for approval prior to issuance of a building permit.
2. The buildings shall meet all applicable handicap-accessibility requirements of the State of Maryland and the Americans with Disabilities Act of the Federal Government, as well as all construction code requirements of the City of Rockville.
3. The applicant shall relocate and underground the existing electrical connection to the Farmstead from Route 355/Frederick Road as shown on the Project Plan.
4. The Project Plan shall have a validity period of 12 years.

Department of Public Works Engineering

5. The applicant must construct all proposed roads, private alleys and all public improvements within the Property and Frederick Road and Pleasant Drive rights-of-way per City standards and specifications, except as otherwise approved or waived. Minor deviation from the approved cross-sections requires approval from the Director of Public Works at the Site Plan phase. The right-of-way for all public roads within the Property must be dedicated to public use and be reflected on a Final Record Plat, to be reviewed by staff and approved by the Planning Commission and other agencies having jurisdiction of the right-of-way.
6. The street cross-sections for Streets A, B, C D, E and F are contingent upon the Mayor and Council's authorization of Road Code Waivers from Chapter 21 of the Rockville City Code. Should the Mayor and Council approve the Road Code Waivers, all street sections shall comply with the Project Plan and exhibits. Any deviation from

the sections must be approved by the Director of Public Works at the Site Plan phase.

7. The applicant shall dedicate to the City for public use any property along the property frontage that lies within a minimum 75-feet from the existing roadway center located beyond the existing SHA Frederick Road right-of-way. The right-of-way to be dedicated shall be in accordance with the Project Plan and exhibits, including those coordinated with MCDOT to accommodate the future MD 355 Bus Rapid Transit. Any deviation must be approved by the Director of Public Works at the Site Plan phase.
8. The applicant shall grant to the City all Public Improvement Easements (PIE) as shown on the Project Plan and exhibits. Any deviation from the location of the PIE must be approved by the Director of Public Works at the Site Plan phase.
9. Applicant shall construct all necessary public improvements, including but not limited to street trees, streetlights, street light conduit, and traffic signals in accordance with all applicable City standards, or the standards of the jurisdiction of the corresponding right-of-way. Public improvements shall be located within the right-of-way or within a Public Improvements Easement as approved by the Director of Public Works.
10. The applicant must grant a Public Access Easement (PAE) across the entire width of the privately maintained alleys and grant a 1' Public Improvement Easement (PIE) adjacent to public rights-of-way for maintenance of public sidewalks as shown on the Project Plan Road Cross Sections. The PAE and PIE must be reviewed and approved by DPW and in a format acceptable to the City Attorney's Office and be recorded in the Montgomery County Land Records, prior to DPW issuance of any Public Works (PWK) permit. Applicant shall execute a Revocable License and Maintenance Agreement for the shared maintenance of Stormwater Management Facilities located within the public right-of-way. The agreement must be executed by the property owner and other parties of interest for review and approval by DPW and the City Attorney's Office. The Revocable License and Maintenance Agreement must be authorized by the Mayor and Council, and must be recorded in the Montgomery County Land Records prior to DPW issuance of any Stormwater Management (SMP) permit.
11. Applicant shall comply with all conditions of WSSC's Hydraulic Planning Analysis (HPA) and Letter of Findings dated August 11, 2021 as may be amended.
12. Applicant shall comply with the conditions of DPW's Pre-Application SWM Concept Approval Letter dated June 17, 2021 and Annexation SWM Concept Approval Letter dated August 31, 2021 as may be amended.

13. The applicant shall construct dry utilities underground within Public Utility Easements unless otherwise permitted to be located elsewhere by the Director of Public Works. At the Site Plan phase, the Applicant shall submit a conceptual dry utility plan to be approved by both the utility companies and the Department of Public Works.
14. The applicant must obtain all necessary approvals and/or permits for all driveway access points and utility connections proposed on the Project Plan from all agencies with jurisdiction, including MDSHA and the City of Rockville.
15. The Mayor and Council must authorize the termination of any existing easement that is dedicated to the City of Rockville. Any termination of an easement dedicated to the City must be reviewed and approved by DPW in a format acceptable to the City Attorney's Office and be recorded in the Montgomery County Land Records prior to issuance of any DPW permit. If required by the terms of any existing easement granted to an entity other than the City of Rockville, Applicant must submit plans for work within the easement to Grantee for review. If Grantee's permission for such work is required, the Applicant must secure Grantee's written permission for any proposed development activity within the easement, or the easement must be extinguished, prior to the submission of an application for any DPW permit.
16. Submission for review and approval by the City Attorney's office prior to DPW permit issuance, all necessary deeds, easements, agreements, dedications and declarations. Drafts of the documents must be included with the initial submission of the engineering plans and must be recorded prior to issuance of DPW permits, unless otherwise allowed by DPW.
17. The applicant shall relocate and underground the existing electrical connection to the Farmstead from Route 355/Frederick Road as shown on the Project Plan.
18. The applicant shall coordinate with SHA as necessary and construct the Farmstead entrance from Route 355/Frederick Road to the existing and/or proposed access road serving the Farmstead as shown on the Project Plan.
19. Applicant shall comply with the waiver conditions of DPW's Roadway Design Layout Letter dated September 3, 2021.

Traffic and Transportation

20. A traffic signal at the entrance to the development on MD 355 will be required, with corresponding interconnections per MD SHA and/or Montgomery County DOT requirements and standards to the adjacent signals at the intersections of Ridgemont/355 and Shady Grove/355. The applicant shall obtain design approval for

- the signal and all related improvements per MD SHA and/or MCDOT, and fully bond the entire cost with the City prior to issuance of any building permit on the subject site. The actual construction of the signal and interconnections and any other related improvements required by the Maryland State Highway Administration (owner of signal), and Montgomery County Department of Transportation (operator of signal) must be completed prior to project buildout and/or when warranted and permitted by MDSHA and/or MCDOT, whichever occurs first.
21. Prior to the issuance of the 50th occupancy permit or at a time stipulated by WSSC, whichever is sooner, the applicant shall construct the path through the WSSC easement area and on the northern section of the site as shown on the submitted plan with direct connections to the proposed frontage improvements along MD 355. Construction of the path shall be made in accordance with any requirements from WSSC, and per the City requirements and standards.
 22. Prior to the issuance of any occupancy permit, the applicant shall replace the existing sidewalk along the property frontage of MD 355 with a buffered 10-foot-wide cycle track, an 8-foot wide landscape panel, and a 6-foot wide sidewalk within the dedicated area as shown on the site plan and as recommended by the 2017 approved Bikeway Master Plan. The design is subject to minor modifications as needed for accommodating the existing above-ground utilities to remain.
 23. Prior to the issuance of the 50th occupancy permit, the applicant shall construct curb bump outs, ADA accessible sidewalk ramps, and crosswalks on all approaches to the intersection of proposed Street F with Pleasant Drive extended, as shown on the project plan. The design is subject to minor modifications, as necessary, during the site plan phase.
 24. Prior to the issuance of any occupancy permit, the applicant shall construct the required intersection improvements as shown on the project plan that improve and enhance safe pedestrian and bicycle accommodation at the intersection of Piccard and Pleasant Drive. The recommended improvements include adjustments to the curb radii, ADA compliant curb ramps, crosswalks and signage. The design is subject to minor modifications, as necessary, during the site plan phase.
 25. Prior to the issuance of the 50th occupancy permit, the applicant shall construct and extend a sidewalk connection with sufficient bike accommodation, as deemed necessary by the City, from approximately midpoint of proposed street D to the existing Park access Road and its parking lot, as shown on the project plan.
 24. All internal and external traffic control devices (i.e., signs, markings and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn or guide pedestrians and/or vehicular traffic, shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).

25. An on-site signing and pavement marking plan must be approved by the Chief of the Traffic and Transportation Division at the time of Site Plan Signature Set approval and prior to any building permits being issued.
26. Prior to the issuance of the occupancy permit, the applicant shall pay the County's Development Impact Tax, as applicable, subject to the credits/offsets allowed by Montgomery County. The applicant shall submit a receipt of payment to the Inspection Services Division of the Department of Planning and Development Services, and the Traffic and Transportation Division of the Department of Public Works.
27. Prior to issuance of any occupancy permit, the applicant shall install light-emitting diode (LED) streetlight fixtures within the proposed development. Streetlight materials and locations of lights shall be approved prior to the issuance of any Public Works permits.
28. The Applicant shall pay the City's Transportation Improvement Fee as provided in the Comprehensive Transportation Review (CTR). The fee of \$900 per residential unit must be paid prior to the issuance of any occupancy permit.
29. Prior to issuance of a PWK permit, one of the two following items must be complete:
 - Adoption by Mayor & Council of the applicant's road code waiver in accordance with the Rockville City Code, or
 - Submission and approval of a new site plan that would include the required minimum ROW and pavement width for all proposed roadways within the subject site, in accordance with approved DPW standards.
30. Prior to the issuance of any occupancy permit for the proposed community building, the applicant shall install the required short-term and long-term bike parking as required by the zoning ordinance, and as shown on the project plan.

Forestry

A Final Forest Conservation Plan (FCP) must be reviewed and approved by the City with the signature set site plan submission and prior to release of any Building, Forestry or DPW permits associated with site plan submission. The Final FCP shall be generally consistent with the Preliminary Forest Conservation Plan (PFCP) and approval letter and provide tree plantings consistent with outlined requirements. Final FCP and the site plan must comply with the Forest and Tree Preservation Ordinance (FTPO) and Zoning Ordinance. In addition to compliance with applicable codes, the following specific directives must be followed unless modified by the City Forester:

31. Ensure tree plantings meet minimum spacing requirements, which include:

- Shade trees spaced 20 feet apart, and large or small evergreens and ornamental trees spaced 15 feet apart. Shade trees 15 feet from ornamental trees. Spacing between evergreens and shade trees is either 15 or 20 feet, as determined by the City because distance is dependent on the growth habit of the evergreen, which is species/cultivar-specific.
- 10 feet from wet and dry utilities, except when these are under streets.
- 15 feet from streetlights and driveways (DPW to provide requirements for sight distances and stop signs).
- 10 feet from inlets.
- Shade trees and large evergreens shall be spaced a minimum of 7 feet, and ornamental trees and small evergreens to be spaced a minimum of 5 feet from micro bioretention underdrain pipes (6" diameter and smaller).
- Street trees can be planted over stormwater conveyance pipes when pipes have a minimum of 4 feet of cover and are immediately behind the curb.
- Trees planted to meet FTPO or other forestry requirements on the site may not be located within existing or proposed easements (excluding forest conservation easements).

32. The Applicant must submit a Final Forest Conservation Plan (FFCP) which meets the minimum requirements approved with the PFCP plan for the proposed limits of the site plan.

33. Use current City tree tables.

34. Use current City FTPO notes and details.

35. Ensure the plan does not contain overwrites and is prepared per the general structure requirements for Final FCPs.

36. Soil augmentation per the city's Forest and Tree Preservation Ordinance Notes will be required prior to installation of new trees within existing green space or where pavement was previously located. The current ordinance notes at the time of Final FCP submission shall be included on the Final FCP.

37. Graphically delineate the areas where soil removal and replacement is required prior to installation of all new trees.

38. At the time of site plan submission, the Applicant must submit a landscape plan for that subject property consistent with all City ordinances.

39. The applicant must address all comments provided on the most recent PFCP submission plans by the forestry reviewer.
40. The applicant is required to comply with the approved PFCP letter, as may be amended.
41. Applicant must secure the tree planting waivers pursuant to Sec. 25.21.07 of the Zoning Ordinance, as approved by the Planning Commission.

Fire Marshal

42. Provide details of proposed Fire Lanes for this project.
43. Provide fire flow calculations when Building Plans are submitted for review.
44. Submit a Fire Protection Site Plan with the following information:
 - a. Provide 2 Access points into the project, with perimeter access of 450 feet walk around exterior of each sprinklered building, road width dimensions (FD Access Roads must be a minimum 20 feet).
 - b. Establish Fire Lanes for all structures.
 - c. Provide a Turning Template for Fire Apparatus, with interior radius of 25 feet and exterior radius of 50 feet.
 - d. Show all new/existing fire hydrants facing towards the street located with fire flow water calculations for project.
 - e. Overhead vertical obstructions must be no lower than 16 feet in height.
 - f. Each leg of "T" turnaround must be 60 feet.

Moderately Priced Dwelling Units (MPDUs)

45. The applicant is required to provide a minimum of 15% of the residential units as Moderately Priced Dwelling Units (MPDUs). Now the City will have 58 MPDU units as per latest discussion: 18 stacked condominium townhomes and 40 townhomes.
46. Residential units constructed on the site must comply with the standards and requirements of the Rockville Moderately Priced Dwelling Unit Ordinance, Chapter 13.5 of the Rockville City Code.
47. The minimum square footage for an MPDU townhouse with 3 bedroom and 2 bath is 1200 square ft, per the City's MPDU regulations.
48. The MPDU units must be blended with the other market rate units.

- 49. The MPDU units must not be distinguishable from the market rate units.
- 50. The MPDUs should not be overly concentrated in any one area of the project.
- 51. The Declaration of Covenants for sale of properties must be recorded before issuing any building permit.

Mayor and Council History

The 16160/16200 Frederick Road property is currently located in Montgomery County and is proposed to be annexed into the city via Annexation petition ANX2020-00146. The Mayor and Council introduced a resolution to enlarge the City's corporate boundaries and had a public hearing on the requested annexation on May 17, 2021. In addition, on September 13, 2021, Mayor and Council authorized the City Manager to approve an annexation agreement that contains terms for development of the property, as well as commitments from both EYA and the City Council, that includes EYA building a 47-space parking lot on the King Farm Farmstead site. The Mayor and Council held a briefing on this proposed project plan on July 19, 2021. At the October 4, 2021 meeting, Mayor and Council adopted a resolution to enlarge the corporate boundary to include the King Buick property and an ordinance to amend the zoning to apply the MXCD zone on the annexed property. Mayor and Council are scheduled for a public hearing on this item at this same meeting.

Public Notification and Engagement

Pursuant to Section 25.07.05 of the Zoning Ordinance, a Project Plan requires that the applicant reach out to the neighborhood and conduct two public area meetings: a pre-application area meeting held during the pre-application process, and a post-application area meeting held following submittal of the project plan application. The project applicant has complied with both requirements including written and electronic notification. The applicant held a pre-application area meeting on November 24, 2020 (2 residents were in attendance) and a post-application area meeting on June 3, 2021 (2 residents in attendance) with the required notifications accomplished accordingly.

Project Plan applications require briefings on the application at both a Mayor and Council meeting and a Planning Commission meeting early in the application process. This requirement provides an early opportunity for both bodies to provide feedback on the proposed development. The Project Plan briefing was held at the Planning Commission meeting on June 23, 2021 and at Mayor and Council on July 19, 2021. After the briefings, the project is subject to staff review, a recommendation from the Planning Commission, and approval by Mayor and Council. This approval must occur after the annexation resolution is adopted. After approval of the Project Plan, the Planning Commission will consider a site plan, or multiple site plans if the project is phased, implementing the Project Plan.

Changes have been made based on staff comments. Five townhouse units that were shown abutting the King Farm farmstead in the pre-Application Meeting submission have since been replaced with additional public use space envisioned to contain playgrounds and other amenities.

Applicant has made other changes to the project now reflected in the project plan Application in response to City staff comments on the pre-Application Meeting submission. The Project has been updated to incorporate a large consolidated centralized area that includes a 2,280 square-foot community amenity building with pool, the parking to be provided entirely off-lot in on-street parking located across the street. The design of the community center references architectural elements of the King Farm Farmstead and its light industrial vernacular elements, which includes a standing seam metal hip roof, a mix of wood and metal horizontal siding, canopies, metal frame doors and windows, and brick veneer.

Since the briefing to the Planning Commission on June 23rd, the Applicant has improved pedestrian connectivity to the adjacent streets, King Farm Park and Farmstead. Pedestrian pathways have been created that connect Public Street F with MD 355, adjacent to the King Farm Farmstead. Another pedestrian path connects Public Street D to Pleasant Drive. These paths promote walking and discourage auto use to nearby points of interest.

Another post-application area meeting was held on August 31st in relation to the site plan in which the Applicant made a presentation and answered questions. The meeting notice was posted to NextDoor, a social networking service for neighborhoods, added to the City's website calendar, included in the Development Watch Newsletter, and sent out using various City email lists. Approximately 10 residents participated in the virtual community meeting.

The community concerns expressed that evening focused on appropriate density, adequate public open space, and the potential for through traffic into the King Farm neighborhood. Staff believes that these concerns have been addressed through the project plan. Below is staff's response to these concerns.

Appropriate Density

The Project has been designed well below the maximum density that is permitted. The maximum height in the MXCD Zoning District is 75-feet, which would generate approximately 1.8 million square feet of development. The Project's gross development square footage is 800,000 square feet. The Project is designed with two-over-two condominiums that are 55-feet in height along the MD-355 street frontage, which steps down to 45-foot tall townhomes within the interior of the project.

Public Open Space

Several of public participants expressed concern whether the open space requirements were being met. The Project exceeds the requirements for open area and public use spaces. Specifically, the Project provides 42.4% of net lot area as Open Area (376,076 SF) and 13.8% of

net lot area as Public Use Space (122,635 SF). Section 25.13.05(b) (I) of the Zoning Ordinance requires 15% Open Area and 10% Public Use Space.

Cut-through traffic concerns

Some of the meeting's discussion focused on the potential that some site-generated traffic would cut through the King Farm neighborhood. Participants asked whether a north access from the site to Shady Grove Road would be possible, and whether a traffic study is available to support the Project and demonstrate impacts to the adjacent neighborhood.

In the applicant's prepared transportation report, traffic impacts for the project were documented and mitigations were recommended. Special studies were requested by staff to evaluate the effect on King Farm, including a study to evaluate cut-through traffic within the community. The consultant evaluated alternate routes utilizing King Farm, as compared to using the primary access on Frederick Road. Another evaluation was done to determine whether the new signalized intersection at Frederick Road along with the proposed connection to Pleasant Drive extended would introduce outside cut-through traffic to the King Farm neighborhood.

One of the key transportation improvements for this project is the addition of the traffic signal at the intersection of "Street A" and Frederick Road, which is the primary entrance to the development. Through the regular cycle of the planned traffic signal, the development's traffic is guaranteed dedicated time to make turning movements on Frederick Road when the mainline traffic is stopped. Provision of the traffic signal at this location will prevent the generated traffic seeking alternative routes through King Farm to Frederick Road or Shady Grove Road.

As part of the transportation report, the applicant evaluated routes that could be taken to destinations through King Farm, versus using the primary entrance onto Frederick Road. Criteria used in the comparisons included distance, projected times, and how many traffic signals were along the routes. For the development-related traffic that is oriented to northbound I-270, there are two potential routes 1) going through the new signalized intersection of the development at Frederick Road, going through the signalized intersection of Shady Grove Road and Frederick Road, and using I-370 to gain access to I-270; or 2) using Pleasant Drive extended to Piccard Drive, then Gaither Road, then Shady Grove Road to gain access to I-270. The first route utilizing the primary entrance on Frederick Road is more direct and requires going through two signalized intersections, whereas the second route which is through King Farm requires going through three signalized intersections and takes a longer travel time. For access to southbound I-270, the King Farm route is even longer and requires traveling through two additional signalized intersections.

For site-development traffic oriented to the King Farm retail center, the use of Frederick Road versus using Pleasant Drive yields no difference in expected travel times, despite a slightly longer route.

To evaluate potential outside cut-through traffic to King Farm utilizing the new roadway network from this development, a review of historic traffic volumes was conducted. At the intersections of Frederick Road and Ridgemont Avenue, and Frederick Road and King Farm Boulevard, it was found that the majority of southbound Frederick Road traffic destined to King Farm is making a right turn on King Farm Boulevard (89% AM, 92% PM peak hours) instead of Ridgemont Avenue (11% AM, 8% PM). The same was true for exiting King Farm traffic heading north on Frederick Road. Therefore, it can be reasonably assumed that very few vehicles exiting the King Farm community would be willing to cut through the site on a circuitous route using the proposed connection from Pleasant Drive extended in order to gain access from Frederick Road, instead of using the existing Ridgemont or King Farm signalized intersections.

Regarding the potential northern access from the development to Shady Grove Road, staff notes that prior Mayor and Council actions were not supportive of such a connection. Additionally, staff believes a northern connection could introduce cut-through traffic to the proposed development and King Farm, as well as potentially serving as a bypass for the congested intersection of Shady Grove Road and Frederick Road.

The transportation report has been made available on the City's website and staff contacts were made available to the participants of the post-application area meeting.

Boards and Commissions Review

The Planning Commission held a briefing on the proposed project plan on June 23, 2021. The Planning Commission considered a recommendation on the project plan at their meeting on September 22, 2021. Five members of the public spoke and expressed concerns about items such as traffic on Frederick Road and through King Farm, the density of the project, and the amount of open space. The Commission discussed these items, as well as the potential waiver to the required three trees per lot. The Commission voted 6-0 to recommend approval of the project consistent with the findings and conditions noted by staff with two reservations: the density of the development and granting of the tree waiver.

Next Steps

Following Discussion and Instructions, Mayor and Council will review a proposed resolution documenting its decision. The meeting date involving the review of this resolution is tentatively scheduled for November 8, 2021.

A handwritten signature in dark ink, appearing to read "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

10/13/2021



Mayor & Council Meeting Date: October 18, 2021
Agenda Item Type: Presentation and Discussion
Department: PDS - Management & Support
Responsible Staff: Manisha Tewari

Subject

Rockville Economic Development Inc. Annual Report Presentation

Recommendation

Staff recommends that the Mayor and Council receive an update from Rockville Economic Development, Inc. (REDI) on 1) FY21 activities and accomplishments and 2) the FY22 Strategic Initiatives and Work Plan, and hold a discussion with REDI staff and board representatives.

Discussion

Rockville Economic Development, Inc. (REDI) was formed in 1997 as a 501 (c) (3) by the City of Rockville to proactively support existing industry and attract new business to the city. REDI also serves as an advisor and consultant to the Mayor and Council and to City staff on economic development matters.

REDI receives funds from the City of Rockville based on an agreement that requires both parties to fulfil certain obligations. One of those requirements is that REDI submit a written report summarizing the operations and activities of REDI during the previous fiscal year, submitted by the end of August of each year.

REDI staff delivered the attached report (Attachment A) with a transmittal to the City Manager, which is entitled "Rockville Economic Development, Inc. (REDI) Fiscal Year 2021 Final Report," as required in the agreement. The report is signed by Susan Prince, Chair of REDI Board, and Cindy Stewart Rivarde, REDI's Chief Executive Officer.

Exhibit B of REDI's report is the FY22 Strategic Initiatives and Work Plan, which is also required to be delivered by the end of August in the City-REDI agreement.

At the October 18, 2021 meeting, REDI will deliver a presentation to the Mayor and Council and be available for questions and discussion.

Mayor and Council History

The current agreement between REDI and the Mayor and Council was initiated on January 1, 2021 with a termination date of June 30, 2024 (Attachment B).

The Mayor and Council have received reports from REDI for many years, including the annual written report as required under this agreement and preceding agreements.

Next Steps

REDI will continue to share information about activities and be available for discussion with any member of the Mayor and Council. REDI will also prepare a budget request for the upcoming FY 2022 budget process.

Attachments

Attachment 12.a: REDI FY2021 Annual Report (PDF)

Attachment 12.b: City-REDI Agreement 2021-2024 (PDF)



Rob DiSpirito, City Manager

10/12/2021



Fiscal Year 2021 Final Report

EXECUTIVE SUMMARY

Since the pandemic's beginning, Rockville Economic Development Inc. (REDI), has been a steady presence in the business community offering information and resources to help companies pivot to “the new normal in an everchanging economy.” To ensure representation of the City of Rockville’s business community, REDI’s Board of Directors serves a reflection of the businesses and stakeholders that support the City's commitment to economic vitality and mission. A list of Board members is attached as **Exhibit A**.

REDI met the challenges of this year with new leadership at the Board as well as the executive staff leading programming. Susan Prince was elected Chairman of the Board, and along with an executive committee that includes Nancy Regelin (Vice-Chair), Jennifer Hester (Vice-Chair), Bridget Donnell Newton (Mayor of Rockville), and Scot Browning (Treasurer) worked with CEO Cindy Rivarde to not only navigate the new environment caused by the pandemic, but to accelerate REDI’s strategic goals. The Board added new members including Dan Mallon, Vice President of Business Development for the new US headquarters for Ellume, and Nikhil Bijlani, Senior Vice President Product Manager, Capital Bank Maryland, to replace outgoing members Jose Ochoa and Scot Browning. A new Deputy Director, heading up business development, Richelle Wilson, and a new Managing Director for the Maryland Women’s Business Center (MWBC) Morgan Wortham joined the staff, bringing strong leadership and skills to the organization.

Like many other cities, Rockville experienced record-high unemployment rates, a significant reduction in the workforce, and the threat of businesses permanently closing their doors due to the uncertainty of the pandemic. Industries that were hit the hardest and are still feeling the effects of the pandemic included retail trade, accommodation & food services, and arts entertainment & recreation. According to the 2019 Census Bureau ACS 5-year Estimate, these industries make up about 14% of Rockville’s workforce.

However, most of Rockville's employment base is comprised of jobs that are considered more resilient to the effects of COVID. According to Census, in 2019, the industries with the largest employment base were Professional, Scientific, & Technical Services (7,951), Public Administration (4,866), and Health Care & Social Assistance (4,356). These industries are also a reflection of where investors decided to put their money during the pandemic. In particular, the Professional, Scientific, & Technical Services sector, which includes the Life Sciences industry, experienced recent growth in the city with company relocations and expansions. This activity, coupled with Rockville's enviable location in the heart of the region's immunology capital, sparked investor interest. In Fiscal Year (FY) 2021, capital investments totaled \$363 million, of which 81% accounted for the life science and the biotech industries. Compared to the prior fiscal year, capital investments in FY 2021 outpaced FY 2020 by over 600% as the momentum for life science continues.

As the business community grappled with the effects of the pandemic, REDI adapted its services, products, programs, and technology infrastructure to meet the immediate needs of its clients while proactively identifying and implementing initiatives to prepare for future needs. In FY 2021, REDI helped the businesses community navigate the pandemic while at the same time leading efforts in four major areas—Business Retention/Expansion/Attraction, City Projects, Small Business Assistance, and Workforce Alignment—in accordance with the FY2021 Strategic Initiatives and Work Plan submitted to the Mayor & Council in August 2020. REDI also serves as a regional entrepreneur resource and hub through its signature program, The Maryland Women's Business Center (MWBC), a Federal Small Business Administration (SBA)-certified program. Major accomplishments are highlighted for each focus area in the following sections below.

FY 2021 Highlights:

Business Retention/Expansion/Attraction

- Created the Rock East District, branding the E. Gude Dr. area as a makers and traders district, to retain and attract businesses to the area ,encourage local tourism, and raise awareness of things to do in Rockville for residents and visitors, and employees.
- Attracted the relocation of Autonomous Therapeutics, Inc.'s corporate headquarters from New York to Rockville through the MOVE incentive program. The relocation brings a total of 65 STEM jobs by 2023 to a new 18,000 sq. ft. R&D facility to 1530 E. Jefferson Street.
- Worked with the City and Lantian Development/Boston Properties to reposition the Shady Grove Bio+Tech Campus on Choke Cherry Road as an adaptive reuse project with new, Class A lab space, attracting life science businesses to a 31-acre campus.
- Consulted on and assisted with permit services for Duball's Phase II of Rockville Town Center multifamily project, including 400 apartment units.

- Refined and streamlined the MOVE/Expansion and Small Business Impact Incentive Funds requirements and application process to make the programs more accessible to Rockville businesses.
- Surveyed recipients of REDI's MOVE/Expansion and Small Business Impact Incentive Funds to gauge added economic impact to the City.
- Welcomed Richelle Wilson as REDI's new Deputy Director in April. She brings a wealth of knowledge regarding real estate, research, and economic development to REDI and will be leading Business Retention/Expansion/Attraction efforts.
- Developed and issued a request for proposal (RFP) for a business and site selector survey to better to assess the City's business needs and marketing efforts.
- Launched a newly redesigned, mobile-responsive website to better promote REDI's services, programs, resources, and value while highlighting Rockville's thriving industry sectors and REDI programs to support business attraction, retention, and expansion.

City Projects

- Provided input on the 2040 Comprehensive Plan, including the new Economic Development Element and various planning areas. In particular, REDI commissioned a study to address the impact of changing land use categories on Research Boulevard, to provide professional input to the Mayor & Council to assist decision making.
- Partnered with the City and the Rockville Chamber of Commerce to present a series of forums for Rockville businesses to navigate and access various relief programs and City services.
- Worked with City staff to develop and issue a request for proposal (RFP) to hire a consultant to analyze the actions necessary to reposition King Farm Farmstead.
- Participated in the steering committee for the redevelopment of the Rockville Metro Station.
- Continued to support City efforts to address the Urban Land Institute (ULI) Technical Assistance Program (TAP) recommendations for Town Center.

Small Business Assistance

- Hired a new MWBC Managing Director, Morgan Wortham, at the beginning of the fiscal year. Her wealth of experience working with entrepreneurs and the community was crucial as she addressed grant management, pandemic programming, and increased staffing needs required to support businesses in this unprecedented time with direct counseling, training and assistance, and access to relief.
- Supported 329 Montgomery County home-based childcare programs through one-on-one counseling and the development of a workshop series (bi-lingual) designed to help local childcare businesses position their finances and take advantage of government relief programs

- With MWBC assistance, Maryland entrepreneurs raised a total of \$6.5 million of capital infusion in FY 2021, \$494 million in equity capital, and \$5.1 million in business loans, which outpaced last year's capital infusion total by 182%.
- Approved six new women-owned retail businesses into MWBC's competitive Retail Incubator located in Rockville Town Square. Since its inception, nine women owners of small businesses have graduated from the Incubator, with five businesses moving into their storefronts in the metro DC area.
- Presented the WEgrow leadership growth program for a second year, focusing on helping women entrepreneurs transition to the next business level.
- Organized and facilitated more than 70 workshops for entrepreneurs, drawing nearly 1,200 attendees who received vital information to support their business needs.
- Served more than 350 minority businesses, of which 38 were in the City of Rockville.
- Hosted a successful 10th-anniversary virtual celebration event with 125 attendees, guest emcee Jummy Olabanji from NBC, and keynote speaker Monique Rose, owner and founder of Milk and Honey restaurants.
- Hired four additional staff members to serve MWBC clients: Karen Kalantzis, Nestor Gavidia, Thomas Squire, and Bryan Thomas.
- Launched a newly redesigned, mobile-responsive website in February 2021 to better reach and support entrepreneurial business owners.
- Cindy Rivarde, Richelle Wilson, and Karen Kalantzis serve as mentors for the MD Tech Council Venture Mentoring program to help grow area entrepreneurs with a focus in the tech and life science sectors, and Ms. Rivarde also serves on the tenant review committee for the Rockville Incubator in Town Center.

Workforce Alignment

- Organized and hosted five Workforce Development Roundtable Discussions led by REDI's Workforce Education Committee chaired by board member Dr. Kimberly Kelley and supported by her team at Montgomery College. Timely topics included Cybersecurity, Workplace Re-entry, Mental Health, Creating Community, and Workforce Education and Employer Needs.
- Continued talent alignment conversations with Montgomery College, Universities of Shady Grove, the Montgomery County Public School System, and WorkSource Montgomery to better facilitate conversations with the business community about current/future hiring needs.

DISCUSSION

Business Retention/Expansion/Attraction

In FY 2021, REDI continued to serve the City as the main point of contact for business attraction and retention efforts for the City. To support the business community, REDI provides a host of services that include assistance with expansion efforts, site selection, fast track development coordination, export opportunities, and information about access to capital. To that end, REDI launched a redesigned, mobile-responsive website to better educate individual and business visitors about the services, programs,

resources, and financial support available. The new site also creates higher visibility about Rockville's key industry sectors and the growth that continues throughout the pandemic, particularly in the biohealth and technology sectors.

In April of 2021, REDI hired Richelle Wilson as its Deputy Director to focus on and create a strategy for business retention, expansion, and attraction. Ms. Wilson has worked in research at some of the top commercial real estate firms such as CBRE and Cushman & Wakefield. She also worked for property technology firm, CoStar, as the Associate Director of Analytics for the Washington DC Region. Her experience in economic development includes working for Montgomery County Economic Development as a Research Manager and Special Projects Manager. She holds a master's degree in financial management from the University of Maryland and brings a great mix of experience. In addition to assisting businesses with site selection, Ms. Wilson immediately focused on refining the process and requirements for the incentive programs, developed the business and site selector survey RFP scope, and worked with City staff to develop a research and data gathering methodology. REDI is pleased to have Ms. Wilson leading Rockville's Business Retention/Expansion/Attraction efforts.

Remained A Strategic Partner to the City

Over the course of the year, REDI has maintained its position as a strategic partner when looking at the economic impact of projects in the City. REDI has been supportive of the City creating a dedicated Economic Development Element in its Comprehensive Plan. REDI provided input and support throughout the process and adoption in early August 2021. In addition, to support the Economic Development Element, REDI gave input on other Elements and Planning Areas. In particular, REDI commissioned a study by Jacob Sesker of Harpswell Strategies, LLC to assess the impact of the change in Land Use categories on Research Boulevard. The information provided informed Mayor & Council to decide to retain some of the office categories in that planning area.

REDI worked with City staff and the Rockville Chamber of Commerce to provide information to the business community during the pandemic through a series of forums. These forums provided Rockville businesses with information about the vast array of available relief programs and information on requesting relief from regulations like outdoor dining. The forums provided a mechanism to gather information about the needs of local businesses so that the City, REDI, the Chamber, and other organizations can remain responsive and supportive of our business community during these unprecedented times.

REDI had previously advocated for hiring a consulting firm to assist the Mayor & Council in assessing redevelopment options for King Farm Farmstead. REDI assisted in creating the RFP for hiring the consultant and served on the review committee. The RFP's purpose was to evaluate the real estate market and economic analysis to find the best potential uses for the property and assess the infrastructure required by the City to make the property marketable. REDI looks forward to supporting the opportunity to

reposition this historic property, which has the potential to become an attraction and economic driver for the City.

The Washington Metro Area Transit Authority (WMATA) is working on a redesign of the Rockville Metro Station and has convened a steering committee that includes the City, REDI, and Montgomery County. This project is important to solve the safety and aesthetic challenges of the current station. REDI has provided input as a member of the steering committee as well as participated in the public forums gathering community input. The metro station is one of the most active stations and is in the heart of Town Center. Redevelopment of the station will enhance and continue to galvanize the redevelopment of Town Center near the station.

The City continues to make progress in addressing the ULI TAP recommendations in Town Center despite the pandemic. The City implemented some of the recommended changes, with Mayor & Council approving “road diets” for E. Middle Land and N. Washington Street in conjunction with an application for the Asphalt Art Initiative grant with Bloomberg Philanthropies. During the approval of the Rockville 2040 Comprehension Plan, the Mayor & Council endorsed improved access to Town Center from Montgomery College through a more direct hiker-biker pathway. To make access to Town Center easier for patrons, Federal Realty changed parking regulations to include free two-hour parking with no validation needed. In conjunction with these changes, Rockville Town Center has been active with new developments projects such as the recent delivery of Main Street apartments and the construction of Duball’s new residential project Ansel.

Despite the pandemic's challenges on retail industry, Rockville has also seen an uptick in new businesses coming to the City. In FY 2021, Plaza Oaxaca, and Taco Bamba were some new businesses to open in Rockville, and the news of potential openings brings about excitement and hope for the state of restaurants in Rockville. Some future openings announced included Lagos Bar & Grill and Mercat Bar de Tapas moving into Town Center. Let’s Taco will add to the mix of food options at Pike Kitchen, and Mr. Wish, a Pennsylvania-based chain, is set to open in Congressional Plaza.

REDI is pleased to serve as a valued partner to the Mayor & Council, and City staff to provide input on the interests of the Rockville business community and the economic vitality of Rockville.

Social Media Touted Rockville as a Desired Location

In addition to sharing COVID-19 relief resources, REDI continued using its social media platforms to attract and retain businesses by promoting Rockville as a premier destination for businesses and highlighting the quality of life enjoyed by residents, employees, and visitors. More than 160 companies were mentioned in posts and the number of digital ads that promote Rockville as a place to do business nearly doubled the proposed total. Social media efforts were also focused local business achievements, City recognitions, partner programs, and more. Significant company and city recognitions included the following:

- 22 Rockville Companies (representing nine industry sectors) Rank on Inc.'s Annual 5000 List
 - BarnAllen Technologies, Bravium Consulting, Clear Impact, CloudBolt Software, College Hunks Hauling Junk & Moving Company, CommunicateHealth, Credible Behavioral Health, DogiZone, The Electronic On-Ramp, Green Threads, Kendall Capital Management, Labyrinth, Precise Software Solutions, Quince Orchard Psychotherapy, Ripple Effect Communications, Simply Nutrition, Stellar IT Solutions, Supinf Technologies, TISTA Science & Technology Corporation, Transparent BPO, United Solutions, and Vigene Biosciences.
- Eight Companies Led Region's Advanced Immunology Surge by Relocating, Expanding, and Thriving in Rockville
 - Aurinia Pharmaceuticals, Autonomous Therapeutics, Inc., Immunomic Therapeutics, Inc., Integrated Pharma Services, On Demand Pharmaceuticals, PediaMetrix, Sensei Biotherapeutics Inc., and Vigene Biosciences
- Eight Rockville Companies Rank as Top Workplaces in 2021
- American Speech-Language-Hearing Association, Apex Home Loans, Aronson LLC, Emmes, FitzGerald Financial Group, Mass Mutual Greater Washington, Regenxbio, and Sparks Group.
- Rockville Earns Top Score for LGBTQ Support on HRC Municipal Equality Index (4th Year)
- Rockville Ranked 7th Most Culturally Diverse City in the U.S. by WalletHub
- Rockville Ranks Among Top Cities for Retirees by SmartAsset
- Rockville Wins 2020 Most Educated Cities Award from Insurify
- Frederick-Gaithersburg-Rockville Area Ranks #9 on the 2020 Arts Vibrancy Index among U.S. Large Communities
- Rockville Named 3rd Best Place to Live for Dog Owners by Money Magazine

Over the past year, we increased our social media followers by 5.6% across combined platforms, with a 10% increase of followers on LinkedIn, which is a crucial stakeholder platform for REDI. Metrics outpaced their proposed numbers in all categories except one. Once again, REDI tracked the number of posts for pandemic resources, but as expected, those numbers are lower than last year as recovery began and resources were exhausted.

Performance Measures	Proposed FY 2021	Actual FY 2021
Number of digital ads promoting Rockville as a place to do business	30	57
Number of Rockville companies promoted through social media	150	162
Percentage increase in Social Media Followers	n/a	5.6%
Number of external articles posted that share news about Rockville's industry sectors	25	12

EXTRA METRIC: Number of COVID-19 resources posted to assist Rockville businesses	n/a	90 Reach= 21,077 people
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REDI & Partner Efforts Attract Big Companies

Despite the disruptions of the pandemic, REDI still experienced numerous wins this year in terms of attracting, retaining, and expanding businesses in Rockville, many of which received incentives (more on this in the next section). Some of the biggest Rockville 'wins' include:

- **Attraction: Autonomous Therapeutics, Inc.**
The New York-based company moved its headquarters, manufacturing, and R&D campus to Rockville. Currently, the company has 15 employees, with plans to hire more than 50 scientists and engineers within the next three years. The growing antivirals company is developing a suite of first-in-class "Therapeutic Interfering Particles" to prevent respiratory pandemics, including influenza and COVID-19. The company currently occupies 17,700 square feet (SF) of space at 1530 Jefferson Street, also in an Opportunity Zone. This attraction project was a joint effort between the City of Rockville/REDI and Montgomery County/MCEDC.
- **Expansion: Integrated Pharma Services (IPS)**
IPS expanded its operations by 9,000 SF in Rockville to begin manufacturing surgical masks and its full suite of COVID-19 detection, testing, and monitoring services.
- **Retention: Shady Grove Bio+Tech Campus**
Boston Properties expands its life sciences holdings by purchasing 435,000 SF, 31-acre campus for Class A lab development.
- **Acquisition: 5640 Fishers Lane and 12441 Parklawn Drive**
Glenline Investments and Singerman Real Estate formed an investment partnership that plans to reposition the buildings for life science tenants.
- **Acquisition: Twinbrook Office Center at 1700 Rockville Pike**
Morning Calm Management acquired Twinbrook Office Center, which is leased to biotech and life science tenants.

Real Estate Development Remains Active

REDI has worked hard during FY 2020 to support the economic health of Rockville commercial development to support the stability of the commercial real estate market. During FY 2021, development did not slow down, and a total of 57,000 SF was delivered in the City of Rockville. In particular, Main Street apartments delivered a 70-unit apartment building. This project serves as a unique asset to the community. One-quarter of the units were designated for people with varying special needs and the

remainder of the units are to accommodate households earning 30-60% of Montgomery County's median income.

Another major project includes Duball's joint venture with Daiwa House Group and the Housing Opportunities Commission. The project, Ansel, consists of multifamily and retail that is expected to deliver later in 2021. REDI provided support to this project with parking information when construction started, consulted on and assisted with permit services for the project.

On the horizon, B.F. Saul is working on constructing a new trophy building off Rockville Pike, a part of a larger mix-use project called Twinbrook Quarter. The project includes seven phases and, at completion, the project is expected to deliver 248,000 SF of trophy office space, 80,000 SF for a new Wegmans, an additional 25,000 SF for retail, and about 450 residential units. This project is a perfect complement to the bustling retail corridor and will help Rockville to become more competitive when attracting companies.

Business Incentives Provide Critical Assistance

The City continued to support our incentive programs by allocating \$50,000 for the Make Office Vacancy Extinct (MOVE)/Expansion Fund and \$450,000 for the Small Business Impact Fund (SBIF) in the FY21 budget. Incentive programs are put in place to support businesses within the corporate city limits of Rockville and businesses that want to relocate or expand here. This assistance allowed us to use these programs as tools for our retention, expansion and attraction efforts and show gratitude to businesses for choosing Rockville as their place to grow and conduct business.

The SBIF was designed to help small local businesses located in target areas that provide a public benefit to strengthen their operations and has been successful thus far. This program has been particularly successful in stemming the tide of businesses leaving Town Center, which Mayor & Council addressed 2018 by setting up the SBIF. Today, we have maintained the presence of Town Center's anchor tenant Dawson's Market in addition to long-standing retailers such as Cottage Monet. Presently we see a resurgence of retail and restaurants, with spaces turning over. This is largely due to the retention efforts of key retailers, as well as partnering with Federal Realty and the City to create a retail incubator for MWBC clients, some of whom have graduated and taken their own shop space in Town Square.

Because we were not receiving many SBIF applications, especially during the pandemic, we decided to review the SBIF program to understand if there were obstacles that we could remove to simplify the process for businesses. Some of the changes included tiering the SBIF requirements to provide varying levels of application materials and grant requirements for one-time versus multi-year grants and targeted more reasonably to the grant amounts:

- Tier One - One-time Grant totaling \$25,000 or less
- Tier Two - One-time Grant between \$25,001-\$75,000

- Tier Three – One Time Grant \$75,001 and above, Multi-year grant, or more than one SBIF grant

To qualify, applicants must show:

- Percentage of jobs awarded to hard-to-employ residents
- Community engagement and support
- Support of locally made products and local food chain
- Compelling or strategic economic reason to receive a public investment
- Non-profits qualify, but chain companies do not.

Additionally, we revamped the website information for both SBIF and MOVE/Expansion incentives to make it easier to read and understand and removed the password protection from the applications.

Below is a list of grantees for this year's REDI business incentives, followed by the performance metrics for the business incentive programs:

GRANTEE	GRANT	LOCATION	ADDED SF	EMPLOYEE COUNT
Autonomous Therapeutics	\$36,000 Move Grant	1530 E. Jefferson St.	N/A	15 current, will add up to 50
Integrated Pharma	\$22,360 Move Grant	4 Research Court	N/A	3 current, will add up to 25
Total Recon	Expansion Grant	627 Southlawn Ave.	12,000	5 current, will add up to 40
Cottage Monet	\$34,000 SBIF Grant	36 Maryland Ave. #H	N/A	4 part-time
Dawson's Market	\$400,000 per year SBIF Grant	225 N. Washington Street	N/A	26 FT/33 PT
Performance Measures			Proposed FY 2021	Actual FY 2021
Business Incentive Grant recipients (Move/Expansion)			7	4
Square footage of space leased by grantees			35,000	35,711
Aggregate average annual salaries for grantee firms			90,000	90,000
Number of full-time jobs added to Rockville through grantees *			80	40

Other Efforts that Support Attraction and Retention Efforts

Throughout the year, REDI engages in other efforts that support business attraction and retention, such as sponsorship and participation in economic development events, national and regional ads promoting Rockville, site visits, and more. This year, most programming was held virtually due to the pandemic, but this did not prevent REDI from

maintaining a presence. Examples of the strategically sponsored and promoted events include:

- Small Business Innovation Research and Small Business Technology Transfer (SBIR/STTR) Programs Overview, in a program curated by the NIH National Center for Translational Sciences with Councilmember Ashton.
- Rockville Chamber of Commerce Economic Development Panel - on October 9, 2020 Mrs. Rivarde joined a panel discussion to discuss current economic conditions and pandemic recovery in Rockville and Montgomery County.
- Rockville Chamber of Commerce Business Forums – Mrs. Rivarde shared her expertise during two business forums. First on November 16, 2020 she discussed financial resources available to businesses, and then on March 29, 2021 she and Ms. Wortham both presented on various resources available to support businesses.
- Post-Doc Conference (part of the Maryland Life Sciences Bio-Innovation Conference) – REDI participated in planning assistance and sponsored.
- Maryland Tech Council & The Universities at Shady Grove Industry Roundtable "Bridging the Life Sciences Workforce Gap" – REDI sponsored and promoted.
- National Economic Development Week & Maryland Economic Development Week – promoted via social media.
- Small Business Saturday - promoted the national observance through social media and encouraged Rockville residents to "buy local" at small businesses during holiday shopping.
- SAPA-DC's 2020 Biotech Investors Pitch Conference - virtually convened leading biotech companies, many of which are located in Rockville. REDI promoted the event, specifically the panel discussion "Opportunities and Challenges in Biotech Start-up, Growth and IPO."

Below are some additional performance measures that support this focus area:

Performance Measures	Proposed FY 2021	Actual FY 2021
Number of strategically placed print ads in regional/national publications	2	1
Number of industry sector events hosted/promoted	8	16
Number of business visits	140	25
Number of broker/economic development event sponsorships*	4	9
Number of industry sector events hosted/promoted*	8	16

Due to the ongoing effects of COVID, much of our business interaction this year remained virtual, which made formal business visits difficult. Nevertheless, we were continually accessible and assisted businesses virtually. In return, the necessity of virtual meetings affected our number of business visits, but we were able to shift our focus to more sponsorships and events online. As a result, we were still able to connect with the business community in order to disseminate info, have a presence and build awareness of Rockville and REDI.

Small Business Assistance

MWBC continues to be a pivotal program within suburban Maryland for small businesses and entrepreneurs. Celebrating its 10th anniversary in FY 21, the program focused on the business community within Montgomery, Prince George's, and Frederick Counties by providing education, entrepreneurial development, business counseling, access to capital and other resources. Other efforts to assist small businesses and support the entrepreneurial ecosystem included MWBC's sponsorship of the Rockville Chamber of Commerce Leadercast 2020, a digital leadership conference series that delivers real solutions for today's leadership challenges, and REDI's participation in the Maryland Tech Council's mentor program and the tenant review committee for the Rockville Incubator.

New Managing Director Strengthens Program

Morgan Wortham joined MWBC as its new Managing Director at the beginning of the fiscal year. Ms. Wortham has 20 years of experience in economic and workforce development projects and urban planning, which allowed her to quickly assess and address grant management, pandemic programming, and staffing needs. She onboarded four talented staff members by November—two business counselors and two programmatic staff—to better serve MWBC clients and address the heightened needs caused by the pandemic to help businesses access relief programs and adjust their business strategies. New staff included:

- Bryan Thomas, a seasoned financial services executive, has been instrumental in program development and speaker acquisition, specializing in the WEgrow Maryland program and other financial literacy workshops.
- Thomas Squire serves as MWBC's training and events manager, using his communications experience to coordinate, market, and promote workshops and events that help bridge MWBC services to the minority businesses that need them.
- Nestor Gavidia is a bilingual Associate Business Counselor who specializes in supporting childcare programs in Montgomery County. His passion for business and commitment to follow-through help Maryland entrepreneurs succeed.
- Karen Kalantzis is the new Associate Business Counselor for Frederick County. She leverages her experience as a small business community builder to connect entrepreneurs with people and resources needed to succeed. She implemented a monthly, virtual meetup called "Coffee & Connections" for Frederick entrepreneurs, which has been very successful. Ms. Kalantzis and Ms. Wortham also teamed up to serve as advisors and advocates for the Frederick County Chamber of Commerce's inaugural S.H.E. Pitch program for female CEOs. MWBC promoted the program, which gives women entrepreneurs access to cash prizes, publicity, and networking opportunities as well as expert guidance on developing a catchy elevator pitch, investment summary and slide presentation deck.

Ms. Wortham has also managed the CARES Act funding and pandemic-response initiatives that supported businesses in this unprecedented time with direct counseling, virtual trainings and assistance, accessing relief, and helping businesses shift priorities and strategies. With her guidance, a master communications plan was developed, including social media as well as email and website communications, designed to position REDI/MWBC as experts in resources and assistance for small businesses and entrepreneurs that continue to face hardships during the pandemic. Due to an increase in funding from the SBA to help the center reach more businesses virtually, a newly redesigned, mobile-friendly website was launched in February 2021. The new look and site architecture create a more-engaging user experience and easier access to critical information for businesses in every growth phase. Accompanying the launch of the new website, an enhanced blog was created. With its new design and content, blog statistics show:

- 111% increase in blog page views over the previous fiscal year
- 20% increase in site visitors entering the site through the blog
- 15.5% increase in time spent on the blog page

Virtual Trainings Successfully Revamped

To adapt to clients' needs, MWBC continued to offer all its workshops online, with better access on mobile devices, which is essential for the clients with whom MWBC works. More classes were available in Spanish to accommodate a growing Latinx client base, including a successful partnership with the SBA to offer Introduction to Entrepreneurship workshops in Spanish. Based on attendee feedback and growing 'Zoom fatigue' syndrome, MWBC staff streamlined the number of classes offered, while simultaneously enhancing the quality of the course material, speakers, and marketing efforts. As a result, MWBC organized and facilitated more than 70 workshops throughout FY 2021 with an attendance of nearly 1,200 people. This means that even with less actual workshop events more people attended, and attendance remained on par with last year's total and this year's proposed target.

Workshops were offered on numerous topics, including the following:

- Cybersecurity and technology
- Supply chain
- Pandemic response
- Export/Import
- Procurement
- Leadership
- Financial Management.

Capital Infusion Hits Record High

With guidance and support from MWBC, assisted Maryland entrepreneurs raised a total of \$6.5 million of capital infusion, of which \$494 million was in equity capital, and \$5.1 million was in business loans. This outpaced last year's capital infusion total by 182%.

Childcare Program Offers Needed Financial Training

MWBC Childcare program proved to be a vital resource for individuals wanting to start their own business in this industry. In FY 2021, business counselors assisted 329 clients, an increase of 34% over the previous year. Additionally, counselors offered more one-on-one assistance on a more regular basis; serving clients in 882 sessions (approximately 2.65 sessions per client), compared to 298 sessions (approximately 1.35 sessions per client) in FY 2020.

MWBC continued to be a leader in supporting the childcare industry by developing a workshop series to help childcare businesses position their finances to be able to take advantage of governmental relief and other financial resources. Bi-lingual workshops were offered, and training topics included developing a business plan, business and financial basics, management skills, marketing, budgeting, accounting, grant application process and assistance, and public funding.

Retail Incubator Supports Female Entrepreneurs

MWBC's competitive Retail Incubator located in Rockville Town Square serves women entrepreneurs looking to enter the retail industry. Primary services provided through the program include business counseling, program follow-up, technical assistance, and access to capital. Other services include training in marketing, digital marketing, bookkeeping, and creating business and financial plans. In the future, the program also hopes to offer the vendors training in visual merchandising. FY 2021 represents the third cohort of businesses and includes six new retail businesses:

- Amaya Accessories
- Chocolisious LLC
- Costa Cosmetics
- Lamimi Boutique
- SweetsbyCaroline
- Yul d'UZ

Since its inception, nine businesses have graduated from the Incubator with five businesses moving into their own storefronts in the metro DC area. Although the program currently operates without any capital funding due to the arrangement with Federal Realty Investment Trust to provide space at no cost, its success has prompted inquiries from other areas interested in replicating this program for their areas.

In July 2021, 11 of the 15 vendors received \$4,348.85 from Maryland RELIEF Act Online Sales and Telework Grant Assistance through MCEDC, which allowed all of them to make impactful improvements to their businesses.

Celebrating 10 Years of EmpowHERment

In recognition of the 10th anniversary of Maryland Women's Business Center, a successful virtual celebration event was planned and executed in November 2020. The event featured guest emcee Jummy Olabanji from NBC4 and keynote speaker Monique Rose, owner and founder of Milk and Honey restaurants. The event drew 125 attendees

and celebrated women empowHERment as well as MWBC successes over the past 10 years.

Below is a recap of some of MWBC's major achievements in FY 2021.

Performance Measures	Proposed FY 2021	Actual FY 2021
Number of minority businesses assisted	n/a	357
Number of small businesses served	464	505
Number of MWBC workshop attendees	1,200	1,167
MWBC Client Capital Infusion (loans/equity)	\$500,000	\$6.5 M

Workforce Alignment

As businesses and workers adjust to rapidly changing work environments, data has indicated that employers are struggling to close the talent gap in addition to figuring out space needs. Despite a resilient economy during a global pandemic, employers cannot ignore the issues they face, such as the skills gap and labor shortage. This is especially true in the City of Rockville, as many of its jobs are focused on high-demand fields like STEM. This has been an issue before the pandemic and has only been exacerbated at the onset of the virus. New initiatives like the pilot program, Biotech Bootcamp, were created to help provide entry-level biotechnology training to county residents displaced due to COVID-19. This program acts as a model for how we can help employers close the gap. However, there is still a need for a continued connection, discussion, info exchange with the business community and our partners to meet actual talent needs.

REDI hosted five Workforce Roundtable discussions in FY 2021. This series was put together with support from Dr. Kim Kelley, Vice President and Provost, Rockville Campus, Montgomery College who serves on the REDI Board and chairs REDI's Workforce/Education Committee. Representatives from more than 25 business, workforce, economic development, academic, nonprofit, technology, and other industry sector entities volunteered their time and expertise to serve as panelists and facilitators for the timely, vibrant discussions. As the series gained visibility, registration numbers steadily increased. More than 300 participants attended the combined events, representing many of Rockville's key industry segments. Timely topics included cybersecurity, workplace re-entry, mental health, creating community, and workforce education and employer needs and were presented to an audience of business leaders, human resource professionals, and educational leaders. This programming allowed conversations to happen between companies and business /education leaders to address area needs.

To continue the critical conversations that began during the Workforce Roundtable series, REDI has been diligent in connecting with its partners and some of the top employers in the City, such as Emmes, The MITRE Corporation, Montgomery College, and Montgomery County Public Schools. REDI has helped organize three forums that

focused on bringing employers to the table to discuss their current needs in terms of talent.

These and future forums offer education and business leaders opportunities to have meaningful conversations about where the educational pathways are not meeting employer needs in terms of preparing college graduates to be immediately employable.

CONCLUSION

The pandemic has forever changed our world and community. However, it also highlighted the resilience and ingenuity of our business community and its support systems. FY 2021 continued to provide challenges with additional staff changes, ever-changing business needs, and the ongoing economic impacts of the pandemic. Despite all of these challenges, REDI was able to show up as a reliable resource for the business community, the City, and our partners, and to effectively move strategic initiatives forward. Although the retail industry was one of the hardest-hit sectors, the City is starting to see a resurgence in activity as new deals are executed and new initiatives are carried out to promote the business community.

With a growing team and added enthusiasm, REDI is more than capable of facing new challenges and entering into the next phase of our mission in growing and promoting the City of Rockville as a prominent place to do business and live. We value our working relationships with the Mayor & Council and City Staff and together, we will work for a better Rockville. If there is anything that this pandemic has taught us is that teamwork is vital in accomplishing goals. We look forward to FY 2022, with our Strategic Initiatives and Work Plan for FY 2022 attached as **Exhibit B**, in serving as community innovators and strategic partners that will help to identify economic opportunities that will lead to a stronger Rockville.

Respectfully Submitted:

Susan Prince

Susan Prince
Board Chair

Cynthia Rivarde

Cynthia Rivarde
Chief Executive Officer

Attachments

Exhibit A – FY 2021 REDI Board Member List

Exhibit B - Strategic Initiatives and Work Plan for FY 2022

EXHIBIT A

FY2021 REDI Board Member List

Ahmed Ali, President and Founder, TISTA Science and Technology Corporation
 Richard Alvarez, President, Brand Development-Rockville, Brand Institute
 Nikhil Bijlani, Senior Vice President Product Manager, Capital Bank Maryland
 Becky Briggs, Founder, OurGiftBiz
 Scot Browning (Treasurer), President, Capital Bank Maryland
 Angela Chaney, Partner Tax Services, Aronson LLC
 Dale Cyr, CEO and Executive Director, Inteleos
 Robert DiSpirito, City Manager, City of Rockville
 Marji Graf, President and CEO, Rockville Chamber of Commerce
 Jennifer Hester (Vice-Chair), Chief Human Resources Officer, EMMES
 Dr. Kimberly Kelley, Vice President and Provost, Rockville Campus, Montgomery College
 Bei Ma, Founder and CEO, The Pinea Group
 Dan Mallon, Vice President, Business Development, Ellume USA
 Carla Merritt, Senior Business Development Representative Montgomery County,
 Maryland Department of Commerce
 Bridget Donnell Newton, Mayor, City of Rockville
 José Ochoa, Chief Business Officer, Altimmune, Inc.
 Suzanne Osborn, Vice President, Human Resources, Westat
 Todd Pearson, President, B.F. Saul Company
 Susan Prince (Chair), Lead Health Cyber Operations,
 The MITRE Corporation at the Centers for Medicare and Medicaid
 Nancy Regelin (Vice-Chair), Shareholder/Partner, Shulman Rogers Law Firm
 Morgan Sullivan, Executive Managing Director, Jones Lang LaSalle
 Bill Tompkins, Executive Vice President & Chief Operating Officer,
 Montgomery County Economic Development Corporation (MCEDC)

EXHIBIT B

Rockville Economic Development (REDI) FY 2022 Strategic Initiatives and Work Plan

Introduction

Rockville Economic Development, Inc. (REDI) is a nonprofit organization with a mission dedicated to identifying and developing economic opportunities to help Rockville prosper. REDI provide economic development services to the City of Rockville, Maryland through a Memorandum of Understanding (MOU), and works with the Mayor & Council as well as city staff to position Rockville as a 21st century city for business. The MOU requires REDI to provide a Strategic Initiatives and Work Plan for the coming year.

REDI is the City of Rockville's economic development organization and the point of contact for businesses who are looking to locate in the City or that have needs to help them grow or stay within the City. REDI works to increase jobs, the tax base, and capital investment within the City by assisting such businesses, as well as partnering with other economic development agencies such as Montgomery County Economic Development Corporation (MCEDC) and the State of Maryland Department of Commerce with whom we collaborate to bring new companies to Rockville. We also collaborate with other business organizations such as the Washington Board of Trade, Connect DMV, the Rockville Chamber of Commerce and the Montgomery County Chamber of Commerce in order to be visible to businesses who may need our services as well as to keep our hand on the pulse of business needs. Our services include:

- Assisting with expansion efforts
- Site selection assistance
- Fast track development coordination
- Assistance in navigating the governmental regulatory process
- Economic incentives for qualifying businesses
- Information about access to capital
- Access to economic data and demographic research
- Educating businesses about procurement opportunities
- Access to subject matter experts
- Serving as liaison to all levels of government
- Coordination with workforce development

Target Industries for Rockville:

- Bio Tech/Bio Health
- Technology/Cybersecurity
- Professional Services
- Hospitality
- Creative Industries

This document outlines the Strategic Initiatives and Work Plan that the REDI Board developed in 2021 to provide guidance for staff and the Board moving forward to meet the mission and vision of the organization in FY2022.

For FY2022, the Board is focusing on the following key areas:

- Marketing
- Business Retention/Expansion/Attraction
- Workforce/Talent Alignment
- Small Business Assistance

Each of these areas was discussed by the Board to determine a diagnosis of the top problem the organization would focus on solving, along with strategy and tactics for that issue.

The plan for growth in these areas are discussed below, along with qualitative and quantitative metric goals used to show performance.

Key Focus Areas

MARKETING

Diagnosis of the Problem:

Rockville still does not tell its story comprehensively enough about quality of life or reach a broader audience.

Strategy:

REDI will focus on highlighting livability in the greater Washington area emphasizing quality of life that includes diversity, housing, education, parks, arts and culture, restaurants, and events in order to attract the creative class by targeting businesses that enhance quality of life, as well as businesses, brokers and site selectors looking to locate where employees will have a great quality of life and be near key industry sectors.

Tactics:

- Hire a full-time marketing person to further craft and tell our story.
- Brand Rockville Commercial Districts and support programming that will attract visitors and businesses.
- Work to tell our story visually with video and photography.
- Work with the City to create and Arts and Entertainment District
- Work with the City on impactful projects like the Rockville Metro Station, Town Center, King Farm Farmstead, and RedGate Park.
- Enter into an MOU with Visit Montgomery to amplify our local tourism and participate on their Board.

Metrics:

- Place at least 2 advertisements in regional/national publications.

- Promote Rockville as a place to do business with at least 50 digital ads.
- Promote at least 150 Rockville companies through social media.
- Post at least 40 external articles sharing news about Rockville's industry sectors.
- Track page views on the new REDI and MWBC websites.
- Create and Launch the Rock East District.
- Create a Mural Program in the Rock East District.
- Create a tourism website and highlight Rockville's commercial districts and attractions.
- Participate and add business need perspective to City project discussions.
- Hire a full-time communications professional.

BUSINESS RETENTION/EXPANSION/ATTRACTION

Diagnosis of the Problem:

Businesses do not know about Rockville's competitive advantages.

Strategy:

Work to gather data, benchmarks, and information about business needs to craft a formal business retention, expansion and attraction plan as well as to provide more precise information about how Rockville meets business needs.

Tactics:

- Survey Rockville businesses to understand their needs including space needs, location and/or growth plans, amenity needs for employees.
- Survey brokers and site-selectors to understand how Rockville is perceived.
- Analyze who our competitors are – is Northern Virginia a competitor that we need to focus on?
- Analyze information about how our taxes and fees stack up to competitors.
- Comparison of our educational institution resources, quality of life, and amenities to competitors.
- Review of Incentive Programs to make sure they continue to be as effective as possible.

Metrics:

- Conduct at least 140 business visits or contacts (in person or virtual).
- Award at least 7 MOVE/Expansion grants with an average annual salary of \$95,000.
- Fill at least 35,000 SF of space by incentive grantee firms.
- Increase jobs by at least 100 through incentive programs.
- Hold/participate in at least 4 economic development/broker events sponsorships
- Host/promote at least 8 industry sector events.
- Complete the business/site selector surveys and develop conclusions and next steps.
- Survey all incentive recipients to determine effectiveness of programs.
- Develop a list of businesses in each target industry in Rockville.

- Continue to support the growth of Bio/Health businesses.
- Advocate for development of more small lab space in Rockville.

WORKFORCE/TALENT ALIGNMENT

Diagnosis of the Problem:

Rockville and Montgomery County have a talent gap issue where the employment needs of businesses are not met by the output of our local educational institutions.

Strategy:

Continue to work with the business leaders and educational leaders to highlight the topics of concern and make sure critical conversations are occurring to address the gap.

Tactics:

- Work with Worksource Montgomery, the Department of Commerce, Montgomery College, the Maryland Tech Council, the Universities of Shady Grove, the Chambers, MCEDC, Connect DMV, the Washington Board of Trade and MCPS to understand issues and facilitate conversations.
- Determine if Bio Health/Bio Tech are areas of most need? Are there other sectors? What is the emerging role of Quantum?
- Continue to champion the idea of a data portal between businesses and educational institutions – or other tool that will allow for planning to address the talent gap.
- Support and highlight the efforts of the Maryland Tech Council, Worksource Montgomery, Montgomery College, USG, and MCPS to provide training programs and resources to help businesses close the talent gaps.

Metrics:

- Facilitate/participate in meetings regarding employment/education pathways.
- Facilitate conversations between business and education leaders regarding talent needs and solutions.
- Promote area programs to businesses available to meet their talent needs.
- Encourage regional focus to address the talent/workforce needs.

SMALL BUSINESS ASSISTANCE

REDI provides small business and entrepreneur assistance through the SBA certified Maryland Women's Business Center (MWBC), as well as supports area incubators, especially the one located in Town Center. We also partner with other organizations that provide small business resources and assistance. Morgan Wortham joined the organization as the MWBC Managing Director in July 2020 in the midst of the pandemic. More specific strategic planning is anticipated with the Board in FY2022, which had to be on hold while responding to the national crisis.

Diagnosis of the Problem:

Small businesses were hit especially hard by the pandemic and have needed resources to respond, pivot and recover.

Strategy:

Continue to provide services through the MWBC to support businesses start, sustain and grow.

Tactics:

- Assist businesses with workshops and one on one counseling to help them start, grow and sustain.
- Provide support to childcare businesses with targeting workshop trainings.
- Assist businesses in applying for relief programs and finding funding sources.
- Assist women veteran entrepreneurs through a target program and access to Growth Wheel in partnership with area WBC's.
- Expand and refine the retail incubator program and highlight the client successes.
- Continue to provide programming on business plans, marketing plans, social media, procurement, import/export, remote operations and management, cybersecurity and financial literacy.
- Continue to refine the We Grow program that helps businesses scale.

Metrics:

- Provide at least 130 workshops through MWBC.
- Serve at least 1,200 MWBC workshop attendees.
- Strive to infuse at least \$500,000 in capital through MWBC client assistance within the City of Rockville.
- Assist at least 175 minority owned/operated businesses in Montgomery County and at least 30 in the City of Rockville through the MWBC.
- Participate on tenant review committee for the Rockville Incubator.
- Staff will act as mentors through the Maryland Tech Council program to support entrepreneurs in the technology and life science fields.
- Add new Advisory Board Members.

CONCLUSION

We look forward to serving the City in FY2022 and continuing to identify and develop economic opportunities for Rockville to make it as strong and resilient as possible, and to reinforce efforts to maintain and enhance the quality of life in Rockville as an attractive business location.

AGREEMENT BY AND BETWEEN ROCKVILLE
ECONOMIC DEVELOPMENT, INC. AND
THE MAYOR AND COUNCIL OF
ROCKVILLE, MARYLAND

January 1, 2021

AGREEMENT

This AGREEMENT, made this day of December 2020, by and between the MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, hereinafter referred to as the “City,” and ROCKVILLE ECONOMIC DEVELOPMENT, INC., a Maryland non-stock corporation, hereinafter referred to as “REDI.”

WHEREAS, REDI has been organized by the City for the purposes set forth in REDI’s Articles of Incorporation, to promote economic development in Rockville and to serve as an advisor and consultant to the Mayor and Council and to City staff on economic development matters, and as a resource for the existing Rockville business community as well as businesses considering locating in Rockville; and

WHEREAS, the City is the sole member of REDI; and

WHEREAS, the City has determined to fund the operations of REDI, upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein, and intending to be legally bound hereby, the parties agree as follows:

ARTICLE I TERM, FUNDS, AND PAYMENTS

1.1 Term

The term of the Agreement will commence on January 1, 2021 and will expire on June 30, 2024.

1.2 Funds and Payments

Subject to the terms and conditions of this Agreement and annual funding by the Mayor and Council, the City will pay REDI for its work to be completed pursuant to this Agreement during the period FY 2021 – FY 2024. As of the date hereof, the Mayor and Council have adopted a budget for FY 2021 that includes a base operating budget for REDI. The parties acknowledge that the base operating budget may need to be adjusted year to year for increases in operating costs due to such factors as changes in the Consumer Price Index and program changes.

By October 15 of each year, REDI will submit to the City Manager and Mayor and Council a budget request and spending plan for the following fiscal year identifying how REDI proposes to spend the City funds to accomplish the work to be completed pursuant to this Agreement. The budget request shall be submitted on forms and according to instructions provided by the City. The City Manager will use the proposal and spending plan to determine the amount of funding to include in the Proposed Budget to the Mayor and Council. The Mayor and Council will determine the amount of funding to include in the Adopted Budget.

Based on the amount of funds appropriated by the Mayor and Council each fiscal year, REDI will submit a request for payment and the City will pay REDI in two equal semi-annual installments in July and January of each fiscal year. The administrator of the Agreement will forward REDI's requests approved for payment to the Department of Finance. The Department of Finance will pay REDI by City check within 20 business days of receipt of each request for payment.

The City Manager (or designee thereof) and/or the Mayor and Council shall have the right, upon reasonable notification, to examine REDI's financial records and books at REDI's office.

ARTICLE II
REPRESENTATIONS AND WARRANTIES OF
ROCKVILLE ECONOMIC DEVELOPMENT, INC.

REDI hereby represents and warrants to the City as follows, it being understood that such representations and warranties are being relied upon by the City as a material inducement to enter into and perform this Agreement. REDI is a non-stock corporation organized, validly existing and in good standing with the State of Maryland. REDI has no authorized capital stock. The sole member of REDI is the City. REDI has full corporate power and authority to execute and deliver this Agreement and to perform its obligations contemplated hereby.

The execution and delivery of this Agreement has been duly and validly approved by the Board of Directors of REDI and no other corporate proceedings on the part of REDI are necessary to approve this Agreement. This Agreement has been duly and validly executed and delivered by REDI and (assuming due authorization, execution and delivery by the City) will constitute valid and binding obligations of REDI, enforceable against REDI in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a court of law or a court of equity and by bankruptcy, insolvency and similar laws affecting creditors' rights and remedies generally.

ARTICLE III
REPRESENTATIONS AND WARRANTIES OF
THE CITY OF ROCKVILLE, MARYLAND

The City hereby represents and warrants to REDI as follows, it being understood that such representations and warranties are being relied upon by REDI as a material inducement to enter into and perform this Agreement. The City has full power and authority to execute and deliver this Agreement. This Agreement has been duly and validly approved by the Mayor and Council of the City, and no other approvals or proceedings by or on behalf of the City are necessary for the City to perform its obligations under this Agreement. This Agreement has been duly and validly executed and delivered by the City and (assuming due authorization, execution and delivery by REDI) will constitute valid and binding obligations of the City, enforceable against the City in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a

court of law or a court of equity and by bankruptcy, insolvency and similar law affecting creditors' rights and remedies generally.

ARTICLE IV COVENANTS RELATING TO CONDUCT OF BUSINESS

4.1 Covenants of REDI

1. Operational Covenants: During the term of this Agreement, and for so long as the City makes the payments contemplated by Section 1.2 hereof and funds are available, REDI agrees to use the Funds exclusively to: seek to establish the City as a leading center for economic development, endeavor to improve the tax base, and create an environment attractive to businesses, residents, workers, and visitors in accordance with the Mayor and Council's policies and priorities. REDI will adopt a strategic plan that supports the Mayor and Council's policies and priorities with respect to economic development, which includes, but is not limited to REDI's efforts to:

- a. Promote the retention and expansion of existing businesses in the City;
- b. Encourage the formation of new business enterprises in the City and attract new businesses to the City;
- c. Research, recommend, market, administer, enforce, measure the success of, and report on all existing incentive programs (including any tax credit or other payment waiver programs), which must include funded incentives, which currently include the MOVE and Expansion funds as well as the Small Business Impact Fund, provided the City approves funding for such incentive programs or REDI procures funds from other sources for such programs, though REDI shall have no obligation to procure additional funding. REDI shall report to the Mayor and Council regarding the jobs created and/or retained by incentive programs.
- d. Help cultivate an environment for businesses to create, retain and attract jobs within the City, which includes acting as a liaison to other agencies such as the Montgomery County Economic Development Corporation, Montgomery County Government, Montgomery County Council, the Maryland Department of Commerce, BioHealth Innovation, local chambers of commerce, arts and culture organizations, and other agencies that support and promote local business growth and development;
- e. Foster education and communication between the City's business community, the Mayor & Council, City staff, and the general public;
- f. Assemble, maintain and disseminate to appropriate brokers, site selectors, and business leaders/decisionmakers information on the City's business community, workforce and economic climate, which should include an assessment of the competitive advantages and challenges of the Rockville

market and economy, and proactively engage these key stakeholders;

- g. Assemble and disseminate information on available workforce for target industry sectors and facilitate connection between businesses and educational institutions to meet business workforce needs;
- h. Provide impartial support for strategic real estate development and redevelopment projects and initiatives within the City to encourage transit-oriented development, quality of life for residents and businesses, successful office and industrial projects and businesses, and neighborhood shopping center revitalization, recognizing City priority areas such as Town Center, the MD 355 corridor (Rockville Pike, Hungerford Drive and Frederick Road), Stonestreet Avenue, Research Boulevard, Piccard Drive, Southlawn, the Shady Grove corridor, and other important areas of the city economy;
- i. Support small businesses and entrepreneurs through Small Business Administration (SBA) programs, such as the Maryland Women's Business Center, and promote resources available to small businesses and entrepreneurs, including a focus on socially disadvantaged and minority businesses;
- j. As needed and subject to approved funding, hire experts and consultants to provide analysis and research on topics that support economic development efforts for the City;
- k. Engage in such other activities, within the power and authority of REDI, as the Board of Directors of REDI reasonably deem necessary to carry out the goals and mission of REDI, as determined from time to time;
- l. Undertake such economic development assignments as may be requested by the Mayor and Council; and
- m. Collaborate with City staff on City initiatives supportive of economic development.

2. Administrative Covenants. REDI agrees to submit the following to the City Manager or designee, as well as to the Mayor and Council:

- a. In accordance with Article I above, by October 15 each year, a budget and spending plan, to include anticipated administrative and programmatic spending for the next fiscal year, which will begin on July 1 and end the following June 30;
- b. By August 30 each year, a Strategic Initiatives and Work Plan, which will include goals, strategies, and actions for the current fiscal year. The Strategic Initiatives and Work Plan will also designate measures, both quantitative and qualitative, associated with each goal that REDI will use to assess success in completing the organization's strategic initiatives and work plan;

- c. By August 30, a written report summarizing the operations and activities of REDI during the previous fiscal year, which will include data for the measures of performance defined in REDI's Strategic Initiatives and Work Plan;
- d. By August 30 of each year, an annual financial statement; and
- e. By August 30 of each year, a copy of REDI's annual audit.

3. Communication Covenants. REDI agrees to:

- a. Make presentations at Mayor and Council meetings at least twice a year, which shall include a presentation to Mayor and Council prior to March of 2024 before final budget hearings, to update the Mayor and Council and the public on REDI's activities and the progress of REDI's strategic initiatives;
- b. Make presentations to the Mayor & Council as requested on various topics of Economic Development;
- c. Participate in an Annual joint meeting of the REDI Board of Directors and the Mayor and Council;
- d. Meet, at least quarterly, individually with the Mayor and Councilmembers to provide updates on REDI activities and to solicit feedback on REDI efforts and activities.

4.2 Covenants of the City

During the term of this Agreement, the City agrees to use its reasonable best efforts to support REDI, including, but not limited to, taking such actions as the sole member of REDI as may be necessary for the efficient operations of REDI, and providing such City resources as may reasonably be required or advisable, in the City's sole discretion, for REDI to accomplish its goals and missions.

The administrator of this Agreement is:
 City Manager
 111 Maryland Avenue, Rockville, MD 20850
 240-314-8102

The City Manager or designee will receive and upon completion of a satisfactory review, forward requests for payment to the Department of Finance, participate in budget discussions, and approve and distribute the documents described in Section 4.1 of this Agreement. The City Manager, or his or her designee, will serve as a member of the REDI Board of Directors and shall attend Board of Directors' meetings on behalf of the City. The Mayor and Council shall also appoint one of its members to serve as liaison to REDI and as a member of the REDI Board of Directors.

In addition, the Mayor or other designated Councilmember will be reasonably available to serve as a representative for the City when requested to attend key meetings with

business and community leaders where attendance by the Mayor would be good protocol and demonstrate strong support of the City for the success of the Rockville business community.

The Mayor and Council will hold an annual meeting with the REDI Board of Directors in order for the organizations to share direction, goals, and initiatives.

ARTICLE V TERMINATION AND AMENDMENT

5.1 Termination

1. This Agreement may be terminated for convenience:

(a) At any time upon mutual consent of the City and REDI;

and

(b) Upon six (6) months' notice by the City to REDI.

2. This Agreement may be terminated for cause upon sixty days' notice and failure to cure by either the City or REDI, which includes the City's failure to make payment as set forth in Article I above.

5.2 Amendment

Subject to compliance with applicable law, this Agreement may be amended by the parties hereto, by action taken or authorized, as to the City, by the Mayor and Council, and as to REDI, by its Board of Directors. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

ARTICLE VI GENERAL PROVISIONS

6.1 Expenses

All costs and expenses incurred in connection with this Agreement shall be paid by the party incurring such expense.

6.2 Indemnification

REDI agrees to indemnify and hold harmless, the City, its agents, successor, and assigns, from any and all claims, demands, actions, causes of action, damages, expenses, liabilities, and attorney's fees, arising in any way from REDI's activities and the actions or

inaction of REDI's agents or employees. Within the limits of the City's scope of insurance coverage, and the limitations and immunities provided by law, including but not limited to the Local Government Tort Claims Act, Section 5-303 (a), Courts & Judicial Proceedings Article, Annotated Code of Maryland, the City shall be responsible for claims of liability, loss, or damage arising from its direct negligence or willful misconduct, excepting however such claims or damages as may be attributable in whole or in part to the negligence of REDI, its agents, employees, servants, or contractors. Nothing in this Agreement shall be construed as a promise or agreement by the City to indemnify REDI for any claims of liability, loss or damage arising from negligence or willful misconduct by REDI, or its agents.

6.3 Insurance

Prior to the execution of the contract by the City, REDI must obtain at their own cost and expense and keep in force and effect during the term of the contract including all extensions, the following insurance with an insurance company/companies licensed to do business in the State of Maryland evidenced by a certificate of insurance and/or copies of the insurance policies. REDI's insurance shall be primary.

REDI must submit to the City Manager or designee, 111 Maryland Avenue, Rockville, MD 20850, a certificate of insurance evidencing required insurance coverage prior to expiration of existing policies. In no event may the insurance coverage be less than shown below.

MANDATORY REQUIREMENTS FOR INSURANCE

REDI's insurance coverage shall be primary insurance as respects the City, its elected and appointed officials, officers, consultants, agents and employees and any insurance or self-insurance maintained by the City, shall be excess of the REDI's insurance and shall not be called upon to contribute with it.

Type of Insurance	Amounts of Insurance	Endorsements and Provisions
Workers' Compensation	<p>Bodily Injury by Accident: \$100,000 each accident</p> <p>Bodily Injury by Disease: \$500,000 policy limits</p> <p>Bodily Injury by Disease: \$100,000 each employee</p>	<p>Waiver of Subrogation: WC 00 03 13 Waiver of Our Rights to Recover From Others Endorsement – signed and dated.</p>

Commercial General Liability	Each Occurrence: \$1,000,000	City to be listed as additional insured and provided 30-day notice of cancellation or material change in coverage. CG 20 37 07 04 and CG 20 10 07 04 forms to be both signed and dated.
Bodily Injury	Aggregate: \$2,000,000	
Property Damage		
Contractual		
Liability		
Premise/Operations		
Independent		
Contractors		
Products/Completed		
Operations		
Personal Injury		
Directors and Officers Insurance	\$1 million	

Alternative and/or additional insurance requirements, when outlined under the special provisions of this contract, shall take precedence over the above requirements in part or in full as described therein.

POLICY CANCELLATION

No change, cancellation or non-renewed shall be made in any insurance coverage without a thirty (30) day written notice to the City. REDI shall furnish a new certificate prior to any change or cancellation date. The failure of REDI to deliver a new and valid certificate will result in suspension of all payments and cessation of work activities until a new certificate is furnished.

ADDITIONAL INSURED

The Mayor and Council of Rockville, which includes its elected and appointed officials, officers, consultants, agents and employees must be named as an additional insured on REDI's Commercial General Liability Insurance for liability arising out of REDI's products, goods, and services provided under this contract. Additionally, The Mayor and Council of Rockville must be named as additional insured on REDI's General Liability Policies. Endorsements reflecting the Mayor and Council of Rockville as an additional insured are required to be submitted with the insurance certificate.

SUBCONTRACTORS

All subcontractors shall meet the requirements of this Section before commencing work. In addition, subcontractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

CERTIFICATE HOLDER

The Mayor and Council of Rockville

111 Maryland Avenue
Rockville, MD 20850

6.4 Notices

All notices and other communications hereunder shall be in writing and shall be deemed given if delivered personally, telecopied (with confirmation), mailed by registered or certified mail (return receipt requested) or delivered by an express courier (with confirmation) to the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

(a) If to REDI:

Rockville Economic Development, Inc.
51 Monroe Street PE-20
Rockville, MD 20850
Attn: Chairperson

(b) If to the City:

City of Rockville
111 Maryland Avenue
Rockville, MD 20850
Attn: Mayor

6.5 Entire Agreement; Governing Law; Venue

This constitutes the entire Agreement with respect to the subject matter hereof. This Agreement shall be governed and construed in accordance with the laws of the State of Maryland, without regard to any applicable conflicts of law. Venue for any litigation related to this Agreement shall be in courts of competent jurisdiction located in Montgomery County, Maryland.

6.6 Assignment; Limitation of Benefits

Neither this Agreement nor any of the rights, interests or obligation hereunder shall be assigned by any of the parties hereto (whether by operation of law or otherwise) without the prior written consent of the other parties.

6.7 Compliance with Laws

REDI shall comply with the requirements of all applicable laws, rules, regulations and orders of any governmental authority at the federal, state, county or local level, including, but not limited to, all laws relating to prohibitions on discrimination for protected classes, as well as any laws regarding racial equity and diversity.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the day and year first written above.

ATTEST:

THE MAYOR AND COUNCIL OF ROCKVILLE

Sara Taylor-Ferrell

Robert DiSpirito

Sara Taylor-Ferrell
City Clerk/Director of
Council Operations
City of Rockville

Robert DiSpirito
City Manager
City of Rockville

ATTEST:

ROCKVILLE ECONOMIC DEVELOPMENT INC

Cynthia Rivarde

Susan Prince

Cynthia Rivarde
Chief Executive Officer
REDI

Susan Prince
Chairperson
REDI Board of Directors



Mayor & Council Meeting Date: October 18, 2021
 Agenda Item Type: Presentation
 Department: PDS - Comprehensive Planning
 Responsible Staff: Larissa Klevan

Subject

RedGate Park: Update on First Community Engagement & Next Steps

Recommendation

Staff recommends that the Mayor and Council receive a presentation on the first phase of the RedGate Park community engagement and planning work to date, and to provide guidance and direction on next steps.

Discussion

The purpose of this item is to provide Mayor and Council with an update on the community engagement and planning work to date for RedGate Park, and provide feedback on the project team's proposed next steps.

The City has convened a project team that consists of staff from the Departments of Recreation and Parks, Public Works, and Planning and Development Services. Guidance and leadership is provided by the heads of each of the departments whose staff is represented on the project team. Working with a consultant team led by Mahan Rykiel Associates, Inc., staff has carefully considered the existing conditions on site and is working to develop potential alternative plans.

The following studies, documents and community engagement have been completed to date:

Recreation and Parks Department's Strategic Plan

Adopted in 2020, the Recreation and Parks Department's Strategic Plan inventoried Rockville's programs and facilities to identify priorities and needs at the citywide level. The Strategic Plan included a statistically-valid survey to solicit input from Rockville residents on the current park system, and their opinions on the future of both the Department's programming and facilities.

The Strategic Plan identifies RedGate Park as a community asset that could be further developed into a regional destination. The Strategic Plan recommends that the City complete a master planning process, akin to our current process, that considers community feedback, the existing park network, and its projected future needs. The purpose would be to develop a destination park that includes both active and passive opportunities, as well as 'signature

facilities' on the property. Included in the recommendations are a variety of potential capital investments including, (but not limited to):

- Trails
- Dog parks
- A multi-use multi-generational community recreation facility
- An amphitheater
- An arboretum (pg. 9, Strategic Plan).

The planning process for RedGate Park will continue to build on the extensive work included in the Recreation and Park Department's Strategic Plan.

Existing Conditions Assessment

The lead consultant (Mahan Rykiel Associates), and their team member (Whitman, Requart and Associates), completed a review of the existing conditions at RedGate Park and all planning work completed to date that considered the Park. In addition to the RedGate-specific and citywide information provided in the Strategic Plan, the assessment considered the following onsite conditions:

- Landform: the physical layout, topography, and elevation changes at RedGate Park.
- Environmental Features: drainage, stormwater management facilities, stream buffers, steep slopes and soils and onsite vegetation.
- Utilities: storm drains, domestic water, onsite irrigation and pump house, sanitary sewer and the existing cell tower and its associated easement.
- Circulation: vehicular access and circulation, pedestrian circulation and pedestrian accessibility within the park.
- Land Use: the existing land uses that surround the park and existing 'character areas' (spaces within RedGate Park that "have a distinct set of characteristics and feel differentiated from surrounding park spaces").
- Buildable Areas: identification of non-buildable area (stream buffer, slopes 25% or greater, forest conservation easement, stormwater management ponds) and buildable areas that are either forested or non-forested.
 - Note: the buildable area designations are based on the existing grading and topography at RedGate Park.

The report concludes with a variety of questions to be considered during the planning process, such as how the Strategic Plan's policies and recommendations can be implemented on site, how to address ADA accessibility and universal design, and how to balance the existing landform and environmental features on the site with the addition of new uses and programs.

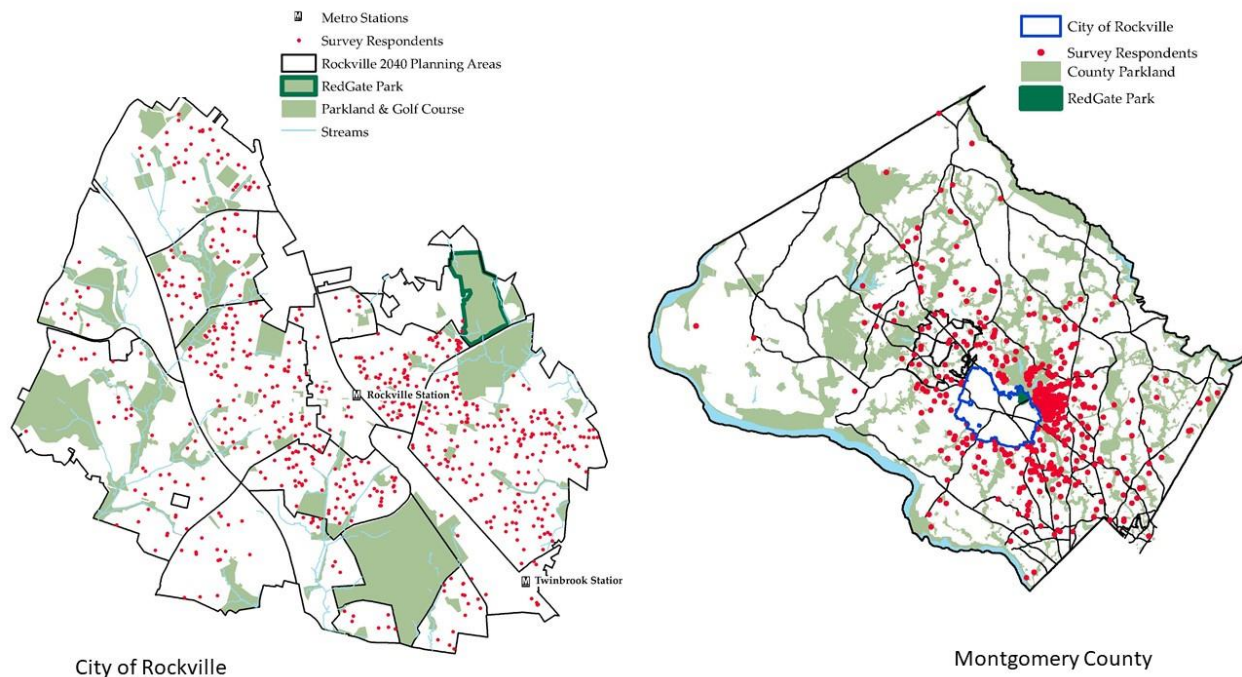
Community Engagement

In March of this year, the City launched EngageRockville.com with the community engagement for the future of RedGate Park as its first project. From March 22, 2021 to April 16, 2021, the

website hosted a survey to solicit information on how RedGate Park is used today, while in its fully undeveloped condition, and the priorities for what amenities and facilities should ultimately be on site. The survey was offered in English, Spanish and Mandarin.

The website and survey were widely advertised through Rockville Reports, RockvilleReports.com, and the Rockville Reports e-newsletter. It was also shared on Nextdoor and shared via the City's social media channels; and notification was sent to neighborhood associations, civic associations, and to individuals who had previously sent in comments or feedback on the future of RedGate Park. Signs and banners announcing the site were also posted at both RedGate Park, and the Rockville Swim and Fitness Center.

We received an impressively large 1,446 survey responses. 836 (58%) of the respondents are residents of Rockville, while the remaining 598 (42%) responses were submitted by individuals who do not live in Rockville, but the vast majority of whom are residents of Montgomery County, MD.



Key takeaways from the survey results include:

RedGate Park Today:

- Residents and non-residents are excited about RedGate Park, planning for the park's future, and have similar views about how the park should be used.
- Overall, park users think RedGate Park is in excellent or good condition.
- The Park is well used. A lack of available time is what prevents most users from visiting the park more often.

- Walking, nature observation and bird watching are the most common activities in which park users partake when visiting RedGate Park today.
- The vast acreage of RedGate Park provides a respite for many during the COVID-19 pandemic.

RedGate Park's Future:

- The natural habitats for wildlife and bird watching are very important to today's park users who have strongly expressed their desire for preservation of the existing habitats.
- Respondents expressed a desire to ensure that the park offers amenities and activities for users of all ages and abilities.
- Opportunities to play sports, gather as a community, and enjoy nature are important features for future park users.
- Park users are very interested in the possibility of additional restrooms at the park.
- Places to display public art and enjoy natural elements (such as butterfly gardens), should be explored as part of RedGate Park's future.
- Residents and non-residents are interested in participating in both passive and active recreation activities at RedGate Park.
- Respondents indicated that a creative funding solution that incorporates public and private funding, as well as user fees, should be considered to fund the construction, maintenance, and programming at RedGate Park.

On EngageRockville.com, participants were able to post ideas regarding what amenities should be available at RedGate Park in the future. Once an idea was posted, other participants were able to indicate their support for the idea by voting and had the opportunity to comment on the idea. Most of the ideas posted while the survey was open can be grouped into the following categories:

- Outdoor fitness and sports
- Nature
- Community gathering and activities
- Spaces for kids
- Connections to other park spaces

Amenities Report

The consultant team, with input from staff, is currently developing a report that will detail what amenities should be offered on site based on the relevant plans and studies, such as the Recreation and Park's Department Strategic Plan, and the feedback received on EngageRockville.com.

The current draft of the document includes the following amenities to be included in the site plan alternatives that will be developed for future feedback from Mayor & Council and through the next phase of public engagement:

- Trail Network
- Natural Habitats
- Botanical Garden/Arboretum
- Picnic Pavilions
- Playgrounds
- Amphitheater/ Community Event Space (outdoor)
- Dog Park
- Outdoor Recreation Fields
- Multigenerational Community Center
- Outdoor Play Spaces

Staff welcomes Mayor and Council input on these proposed amenities.

Mayor and Council History

The Mayor and Council have received updates on and held discussions regarding the RedGate property on many occasions. The list of Mayor and Council items does not reflect all discussions that have been held. Instead, it reflects the history, since 2018, of the Mayor and Council's consideration of the overall status of the property.

The Mayor and Council began to plan for future discussion of the RedGate property during Old/New Business on October 8, 2018. A motion was made and approved directing staff to examine various options for the property. These options included, but were not limited to, continuing to operate the property as a golf course, developing other recreation/park uses, and developing the property as residential units, as well as a combination of these options. To objectively assess the viability of continuing to operate RedGate as a golf course, staff recommended engaging NGF for a second study.

The Mayor and Council received a presentation on the second National Golf Foundation report on February 25, 2019, discussed the implications of the report, and agreed that the next step would be to hold a work session to discuss the future of the RedGate property.

A work session to discuss and provide guidance on planning for the future of RedGate Park was held during the June 17, 2019 Mayor and Council meeting.

Next Steps

With the Mayor and Council's feedback, guidance and direction, staff and the consultant team will finalize the report of the amenities that will be included in the site plan alternatives for the site. Following the initial development of the site plan alternatives for RedGate Park, staff will return to Mayor and Council for their review of the alternatives prior to the next round of public engagement, which is tentatively scheduled for early 2022, and will focus on the site plan alternatives.

Attachments

Attachment 13.a: FINAL Existing Conditions Assessment (PDF)
Attachment 13.b: Community Engagement 1- Survey (PDF)
Attachment 13.c: Community Engagement 1- Ideas Forum (PDF)



Rob DiSpirito, City Manager

10/12/2021



Reimagining RedGate Park

Existing Conditions Assessment

Spring 2021



Mahan Rykiel Associates

Whitman, Requardt and Associates

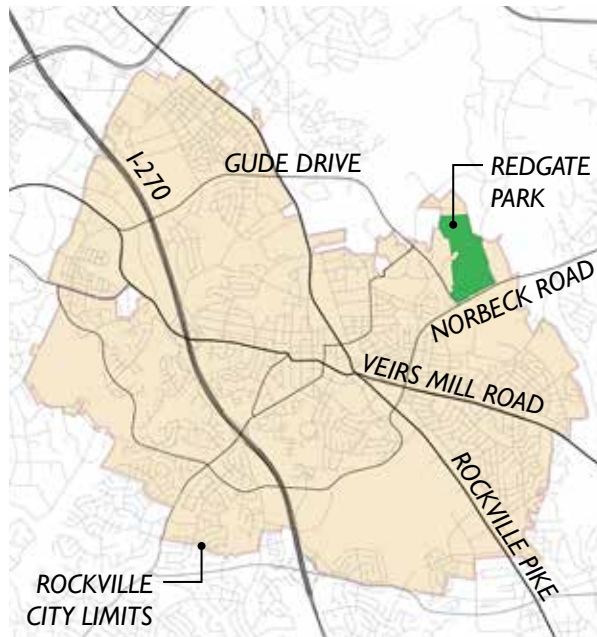


Existing Conditions Assessment

Introduction

The RedGate Park property is approximately 130 acres located at the northeastern edge of the city at the intersection of Norbeck and Avery Roads. As described in the Rockville2040 Comprehensive Plan, RedGate Park is located within Rockville's Planning Area 17. Planning Area 17 is unique in Rockville for its mix of land uses. It consists of light industry, residential apartments, retail shops, office parks, RedGate Park (the former RedGate Golf Course), and public property owned by the City of Rockville and Montgomery County. The RedGate Golf Course preserved significant open space acreage within the planning area. In 2019, the Mayor and Council voted to end the property's use as a golf course.

On March 30, 2020, the Mayor and Council unanimously voted to retain the entire property as a park, with elements of both active and passive recreation, including natural open areas.



Rockville and RedGate Park Context Map

Existing development on the park property includes a 5,400 SF pro-shop/clubhouse building with an outdoor deck, and a 2,600 SF golf cart storage building. Currently the site is well-used by the community for birdwatching, wildlife viewing, walking, jogging, other passive recreational activities and active uses/events like "Live at RedGate". Additionally, a cell tower and associated access easement is located in the southeast corner of the property. The site's existing conditions are described on the following pages and, combined with statistically valid survey results and community input, will serve as the foundation for alternative concept plans showing how the site can sensitively accommodate both passive and active park programming.

Recreation And Parks Strategic Plan

The Recreation and Parks Strategic Plan (Strategic Plan) by PROS Consulting, dated 2020, analyzed Rockville's recreation and parks programs and facilities, and identified citywide priorities and facility needs for the future. Information to note as the master plan for RedGate Park is developed includes themes and ideas as they relate to the entire park system as well as those specific to RedGate Park. Key themes and ideas from the strategic plan are listed below:

Strategic Plan: System Wide

Vision

"To be THE place to make lifelong memories as you live, work, play and thrive."

Mission

"To nurture community connections."

Core Values

- Diversity, Equity and Inclusion
- Exceptional Customer Experience
- Stewardship of Resources
- Innovation
- Collaboration

Big Moves

- Build a standalone brand identity for the Recreation and Parks Department to tell its story and increase community awareness and participation.
- Continue to identify new and dedicated funding sources to ensure long-term financial sustainability.
- Design, develop and maximize the use of RedGate Park as a community asset and a regional destination.
- Redevelop King Farm Farmstead to balance its existing historic amenities with newer cultural and recreation offerings.
- Ensure equity of access in program and park/facility distribution throughout Rockville.
- Evaluate the viability of multi-generational community facilities focused on new recreational programming, performing arts and cultural offerings.

Community Engagement Input

The following is a summary of input received during the community engagement effort in the development of the Strategic Plan through interviews, public meetings and a statistically valid online survey of Rockville residents.

Opportunities: Participants identified a number of opportunities for the park system during interviews and public meetings. These include:

- Importance of the balance of natural areas, open spaces, and developed park spaces to keep the small-town charm of Rockville that people have come to appreciate and expect;
- The re-purposing of the RedGate Golf Course to RedGate Park as the biggest development opportunity for the park system;
- Maximizing partnerships in facility development and providing programs and events;
- Increased public awareness of the Department of Recreation and Parks;
- New signage; and
- A more prominent role for arts and culture.

Top Facility Priorities: Participants identified five system-wide facility priorities during interviews and public meetings. These include:

- The re-purposing of RedGate Golf Course and development of signature facilities within the property (i.e., amphitheater, trails, open space, arboretum, etc.);
- Multi-generational indoor recreation spaces to replace older aging facilities;
- Connectivity and trails;
- Existing restrooms to be open and new ones to be added to existing parks; and
- Seasonal cover at the Swim Center outdoor Competitive Pool for year-round use.

Top Recreational Priorities: Participants also identified five system-wide recreation priorities during interviews and public meetings. These include:

- Keep up on recreational trends and community needs as they evolve.
- Continue offering senior programs across the City to help address the aging population.
- Continue to offer opportunities in the evening.
- Enhance performing arts and cultural event opportunities.
- More programming for developmentally challenged residents and seniors.

Facility/Amenity Needs: The ETC Institute administered a community online survey. The five recreation facilities/amenities with the highest number of households that have an unmet need were:

- Indoor walking and running tracks;
- Botanical gardens/arboretum;
- Mountain bike and hiking trails (natural surface); and
- Outdoor walking/running track
- Natural areas/wildlife habitats.

Facility/Amenity Importance: The survey also revealed the five facilities/amenities that were most important to residents:

- Walking trails (paved surface);
- Small neighborhood parks (1-10 acres);
- Natural areas/wildlife habitats;
- Paved greenway trails; and
- Senior Center and mountain bike and hiking trails (tied).

Priorities for Investment: The ETC Institute developed a Priority Investment Rating system to provide an objective tool for evaluating the priority that organizations should place on recreation and parks investments. The Priority Investment Rating equally weighs the importance that residents place on facilities/amenities and how many residents have unmet needs for the facility. Based upon this Priority Investment Rating, the following eight facilities/amenities were rated as high priorities for investment:

- Walking trails (paved surface);
- Natural areas/wildlife habitats;
- Mountain bike and hiking trails (natural surface);
- Indoor walking and running tracks;
- Botanical gardens/arboretum;
- Small neighborhood parks;
- Paved greenway trails; and
- Outdoor walking/running track.

Programming Needs: The survey also revealed the five programs with the highest number of households that had unmet needs:

- Adult fitness and wellness programs/activities;
- Farmers market;
- Nature program/activities;
- Adult trips; and
- Outdoor adventure programs.

Level of Service Standards

The Strategic Plan also identified Level of Service standards-guidelines that define service areas based on population that support investment decisions related to parks, facilities, and amenities. The standards were based upon population figures for 2019 and the projected 2024 population and identified existing developed park facilities and anticipated park facility development (2019-2024) that either meet standards or where a need exists. A need has been identified for the following additional facilities/amenities based upon 2024 Facility Standards:

- Neighborhood Parks (34 acres)
- Destination Parks (25 acres)
- Total developed park acres (57 acres)
- Total park acres (51 acres)
- Multi-use trails (6.03 miles)
- Natural trails (2.84 miles)
- Total trail miles (8.86 miles)
- Park shelters (5 sites)
- 90' ball fields (2 fields)
- Rectangular multi-purpose fields (5 fields)
- Outdoor volleyball courts (5 courts)
- Dedicated pickleball (7 courts)
- Dog parks (1 site)
- Recreation/aquatics (57,612 sq. ft.)
- Special use/cultural facilities (7,019 sq. ft.)

At-Risk Facilities/Amenities

In addition to the unmet needs outlined above under the Level of Service Standards, several properties with park facilities/amenities are at-risk due to the lack of City ownership or an agreement that could include transitioning the property to a different use. Potential loss of facilities/amenities and the number of parks where the loss could occur are outlined below. At-risk facilities located nearby to RedGate Park, in Mark Twain Park, are specifically identified.

- Up to an almost 10% reduction in park acreage level of service;
- Multi-use trails in three parks;
- Natural trails in one park;
- Park shelters in three parks, including Mark Twain Park;
- Playgrounds in seven parks, including Mark Twain Park;
- 60' and 70' ball fields in four parks, including Mark Twain Park;
- Rectangular multi-purpose fields in one park;
- Tennis courts in five parks, including Mark Twain Park;
- Pickleball courts in one park;
- Outdoor basketball courts in five parks, including Mark Twain Park; and
- A dog park in one park.

Additional Considerations

As part of the Parks Facilities Conclusions discussion in the Strategic Plan, the following additional recommendations were identified:

Invasive Species Management: Invasive species present a challenge to the long-term health of the ecology of park spaces and natural areas. The Strategic Plan recommends inter-agency coordination to provide near term solutions to identify and eradicate invasive species within parks in addition to the established volunteer-based Weed Warrior program.

Integrated Stormwater Management: Consider integration of innovative stormwater management approaches to solve erosion issues where it exists on parkland and include educational opportunities to highlight these practices.

Strategic Plan: RedGate Park-Specific

The Strategic Plan specifically identifies that RedGate Park is the biggest development opportunity for Rockville's park system. The park will shape and define the City into the future and the outcome (of its planning and design) should create a defining, premier outdoor gathering space in Rockville. The Strategic Plan further identifies re-purposing RedGate Golf Course and developing RedGate Park with signature facilities (amphitheater, trails, open space, arboretum, etc.) as one of five top facility priorities. Development of RedGate Park will help provide additional recreational opportunities that should help to alleviate the overuse of some parks and spaces within the overall system.

Recommended Capital Improvements for RedGate Park

The Strategic Plan recommends that the City should engage the community in a RedGate Park Master Plan to program a build out taking into consideration the current and future needs and community values defined in the Strategic Plan. Redesigning RedGate Park, with both active and passive elements, can provide the City and the community with a truly regional asset and help meet future demands and trends. Specific facilities/amenities should consider the following:

- Trails;
- Dogpark (where it can share infrastructure such as parking, restroom facilities, etc., with other facilities/amenities);
- Pickleball;
- A multi-use, multi-generational community recreation center;
- Wayfinding and signage;
- Integrated stormwater management with educational opportunities; and

- Nature play, which can be described as natural, unprogrammed playgrounds that consider topography, forest cover and unconventional practices such as tube mazes, landform berming, and unprogrammed spaces to encourage imaginative play. This would be in contrast to the structured playgrounds with modern play equipment found throughout the city.

These themes and ideas from the Strategic Plan will be important to consider in conjunction with the existing site conditions as described on the following pages. Additionally, RedGate Park specific community input (obtained through the City-administered online survey) will be considered as well to refine the program and priorities for RedGate Park.



Existing Golf Course Fairway Marker



Existing Aerial View from Clubhouse Deck Toward Rock Creek Regional Park

Landform

The park site has a topographic relief—the elevation change from the lowest to highest point—of approximately 114 feet, with the lowest point located along Avery Road along the eastern property line where the site drains toward the Rock Creek stream system. The highest point is located nearby at the northeast corner of the property (elevation 445 feet). The site is bisected by a series of ridges and valleys, with several knolls distributed throughout the site ranging in elevation from 415-430 feet.

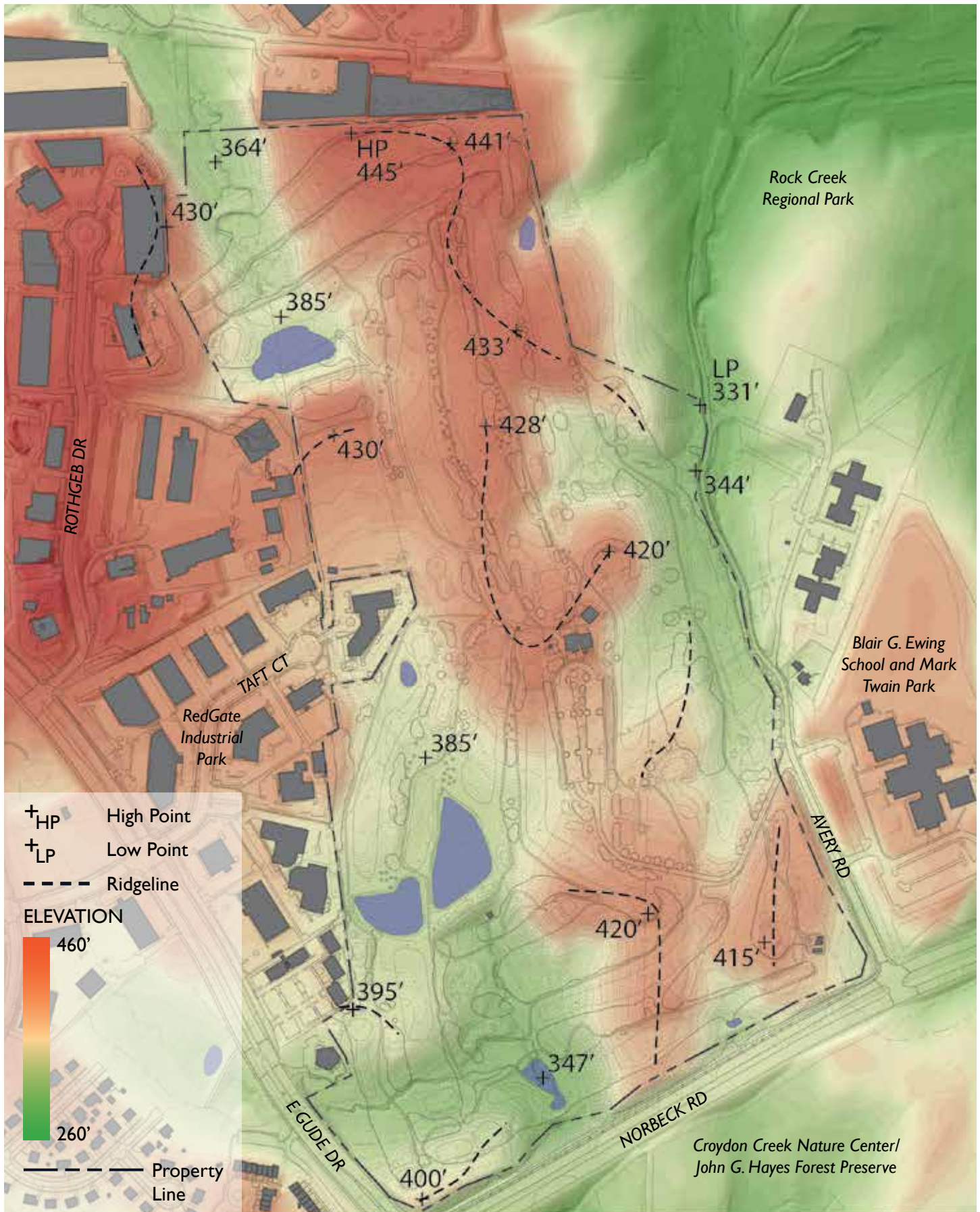
The resulting rolling landform is one of the most distinctive features of the RedGate Park property. The knolls provide outward-oriented views across the entire park and surroundings while the valleys offer inward-oriented enclosures, secluded from their surroundings. While the landform presents challenges with ADA accessibility to all areas within the park, it also presents opportunities to create distinct use areas and a variety of user experiences.



The Park's Rolling Landform Defines Viewsheds and Creates a Variety of User Experiences



Ridges and Rolling Topography Help Define Inward-Oriented Enclosures



Landform

Environmental Features

Based upon available information, the approximately 131-acre project has several environmental features, including but not limited to stream buffers, wetlands, steep slopes, highly erodible soils, and forested areas (including forest conservation easements) that will help to shape the park development opportunities. Based on available FEMA, City of Rockville, and Montgomery County information, no 100-year floodplains are present within the project limits, however the City's Environmental Guidelines state that floodplains for drainage areas of more than 30 acres must be shown. The drainage area for the North Hayes Tributary (which flows through the culvert crossing below Norbeck Road) and the drainage area for the tributary just downstream of the Gude Maintenance Yard Wet Pond (flowing toward the northwest corner of the site) are both above 30 acres and will require delineation prior to the development of the park. However, based upon the size of the stream buffer for both areas, it is anticipated that the 100-year floodplain in both tributaries will remain within the stream buffer; thus if the stream buffers remain untouched the 100-year floodplain shall not be encroached upon.

A formal Natural Resources Inventory and Forest Stand Delineation (NRI/FSD) has not been completed previously, nor is one being completed as part of this master planning effort. The environmental features described below are based upon available information provided by the City of Rockville. Environmental related restrictions are from the City's Environmental Guidelines (For the Protection and Enhancement of the City's Natural Resources), dated July 1999.

Hydrology

Drainage

The site drains into Rock Creek via several streams. The Northeast Park Tributary conveys drainage from Gude Drive and flows into the southernmost pond, known as the RedGate Southwest Pond. Portions of this tributary were upgraded with a City installed stream restoration project in 2005.

The Northeast Park Tributary combines with the North Hayes Tributary and flows through a culvert under Norbeck Road. Across Norbeck Road, the Northeast Hayes Tributary drains into the Middle Hayes Tributary, and then into the Eastern Hayes Tributary which outfalls into Rock Creek. An unnamed tributary to Rock Creek along the eastern property line adjacent to Avery Road (which was stabilized by the City in 2005) drains to the north and another unnamed tributary to Southlawn Branch at the northern end of the site drains to the north as well. These both eventually outfall into Rock Creek. Additionally, several swales throughout the site, as well as two west of the existing club house, flow to the tributaries described above.

According to the National Wetlands Inventory, both the Northeast Park Tributary and the North Hayes Tributary are classified as wetlands.

Existing Stormwater Management Facilities

Several City maintained stormwater management facilities exist within the park. Several other facilities installed with the golf course have either been removed and decommissioned or are not within the City's stormwater management system. The following summary of all known facilities and the status of each is based upon discussions with representatives from the City's Department of Public Works (DPW) as well as plans and calculations provided by DPW. Most of the facilities were installed with the original golf course circa 1973, pond identification numbers from the original plans have been used to identify the facilities. NOTE: Pond #5 was originally intended to be along the northern side of the entrance driveway. Pond #6 was originally intended to be across Avery Road near the existing Avery House.

- **RedGate Pond #1 (City Facility ID 73-2032B):** The western most of the two interconnected large irrigation ponds installed with the original golf course. The wet pond was retrofitted in 2005 by the City. Based upon the SWM Drainage Area Chart provided with the plans, the drainage area to

the facility is 20.46 acres with 11.66 acres of impervious cover. The same table indicates that the facility does not provide Channel Protection Volume (CpV) or Water Quality Management (WQv). The facility outfalls to a channel within the drainage area for the RedGate Southwest Pond #3 described below.

- **RedGate Pond #2 (City Facility ID 73-2032A):** The eastern most of the two interconnected large irrigation ponds installed with the original golf course. The wet pond was retrofitted in 2005 by the City. Based upon the SWM Drainage Area Chart provided with the plans, the drainage area to the facility is 42.29 acres with 11.03 acres of impervious cover. The same table indicates that the facility does not provide CpV or WQv. The facility outfalls to a channel within the drainage area for the RedGate Southwest Pond #3 described below.
- **RedGate Southwest Pond #3 (City Facility ID 73-2036):** The pond was

installed with the original golf course. The City provided extensive upgrades to the facility in 2005. Based upon the SWM Drainage Area Chart provided with the plans, the drainage area to the facility is 143.0 acres (direct drainage area of 30.79 acres) with 50.16 acres of impervious cover. The facility contains drainage from the two irrigation ponds described above as well as the Northeast Pond. The Northeast Pond is located outside the park's limits across Gude Drive and was retrofitted in 2005 as well. The City plans to retrofit the Northeast Pond further in 2021/2022. The summary table indicates that the Southwest Pond #3 facility provides 0.37 acre-feet of WQv treatment and 0.27 acre-feet of CpV treatment. A majority of the area draining to the facility consists of off-site drainage from the properties along Gude Drive.



RedGate Irrigation Pond #2

- **RedGate Southeast Dry Pond #4 (City Facility ID 73-2035):** The pond was installed with the original golf course and is no longer in use. The pond can be decommissioned with the development of the park.
- **RedGate Northwest Dry Pond #7 (City Facility ID 73-2034):** The pond was installed with the original golf course and was removed/decommissioned by the City. Streambank stabilization efforts were provided with the decommissioning and the area is now within the stream buffer.
- **RedGate Northeast Dry Pond #8 (City Facility ID 73-2033):** The dry pond was installed with the original golf course and appears to still be functioning. The pond may be decommissioned with the development of the park.
- **RedGate PWN Pond (City Facility ID 2010-02001):** The dry pond was installed with the original golf course and was removed and decommissioned in 2010 with the development of the Gude Maintenance Yard development.
- **RedGate Water Feature (No City Facility ID):** The wet pond was installed as water feature for the golf course, however, the City has no record of the facility. The pond may be decommissioned with the development of the park. However, the pond may be subject to environmental regulations, which should be vetted with the Maryland Department of the Environment (MDE) prior to park development.
- **Gude Maintenance Facility SWM Pond No. 1 (City Facility ID 2010-02001):** The extended detention wet pond was installed in 2010 with the Gude Maintenance Yard project and provides stormwater management treatment for the Gude Maintenance Yard. Based upon the calculations provided on the construction plans, the drainage area to the facility is 29.4 acres and it provides 66,509 cubic-feet of WQv, 31,410 cubic-feet of CPv, as well as water quantity management.

Stream Buffers

Three large areas of stream buffer are present within the project limits, the first along Avery Road, the second in the southwest portion of the site at the culvert under Norbeck Road, and the third at the northern end of the site. These areas total about 17% of the site area, or about 22.7 acres. Streams, ponds, natural surface springs, and seeps (continuous or ephemeral groundwater flow exiting from slopes or ground surfaces under artesian pressure or gravity flow) shall be maintained in a natural condition so that the existing hydraulic regimen and water quality standards can be maintained, according to the City's Environmental Guidelines. Except as provided below, no buildings, structures, impervious surfaces, or activities requiring clearing or grading will be permitted in stream buffers:

- Temporary sediment and erosion facilities in unforested areas;
- Clearing and grading for other purposes within the stream buffer (such as paving for bikeways or other recreation amenities) may be allowed on a case-by-case basis;
- Stormwater management facilities are generally discouraged within stream buffers, but may be allowed on a case-by-case basis;
- Road and utility crossings will be permitted within stream buffers when it is satisfactorily demonstrated that such locations are the best available option considering all of the circumstances, and provided that every effort is made to locate road alignment and/or utilities to create the least disturbance to existing vegetation, grade, and wetlands; and
- Deposition or stockpiling of any material such as excavated rock, topsoil, stumps and shrubs, grass clippings, and building material within the designated stream buffer is strongly discouraged.

Mitigation is needed when encroaching on stream buffers, several mitigation options are available including but not limited to buffer averaging, enhanced forest retention or reforestation, and stream channel restoration.

While not completed as part of this master planning effort, the eventual site design engineer will need to delineate and survey all Waters of the U.S. (streams and wetlands) within the Study Area in accordance with the US Army Corps of Engineers (USACE) Baltimore District guidelines, and obtain a preliminary jurisdictional determination from the USACE and concurrence from MDE and USACE on resource boundaries.

Steep Slopes and Soils

With the rolling topography, steep slopes can be found throughout the site and are defined in two ways:

Steep Slopes Outside of Stream Buffers (Hydraulically Remote)

Slopes above 25% and outside of stream buffers are considered hydraulically remote steep slopes. To the extent possible, hydraulically remote steep slope areas should be incorporated into the site's open space and/or remain undisturbed. However, development of these areas may be approved on a case-by-case basis.

Highly Erodible Soils

Approximately 91% (119 acres) of the project area is classified as highly erodible soils. These soils are particularly susceptible to erosion when coupled with steep slopes. Highly erodible soils should be managed carefully during construction and the City's Environmental Guidelines encourage designating these areas as open space.

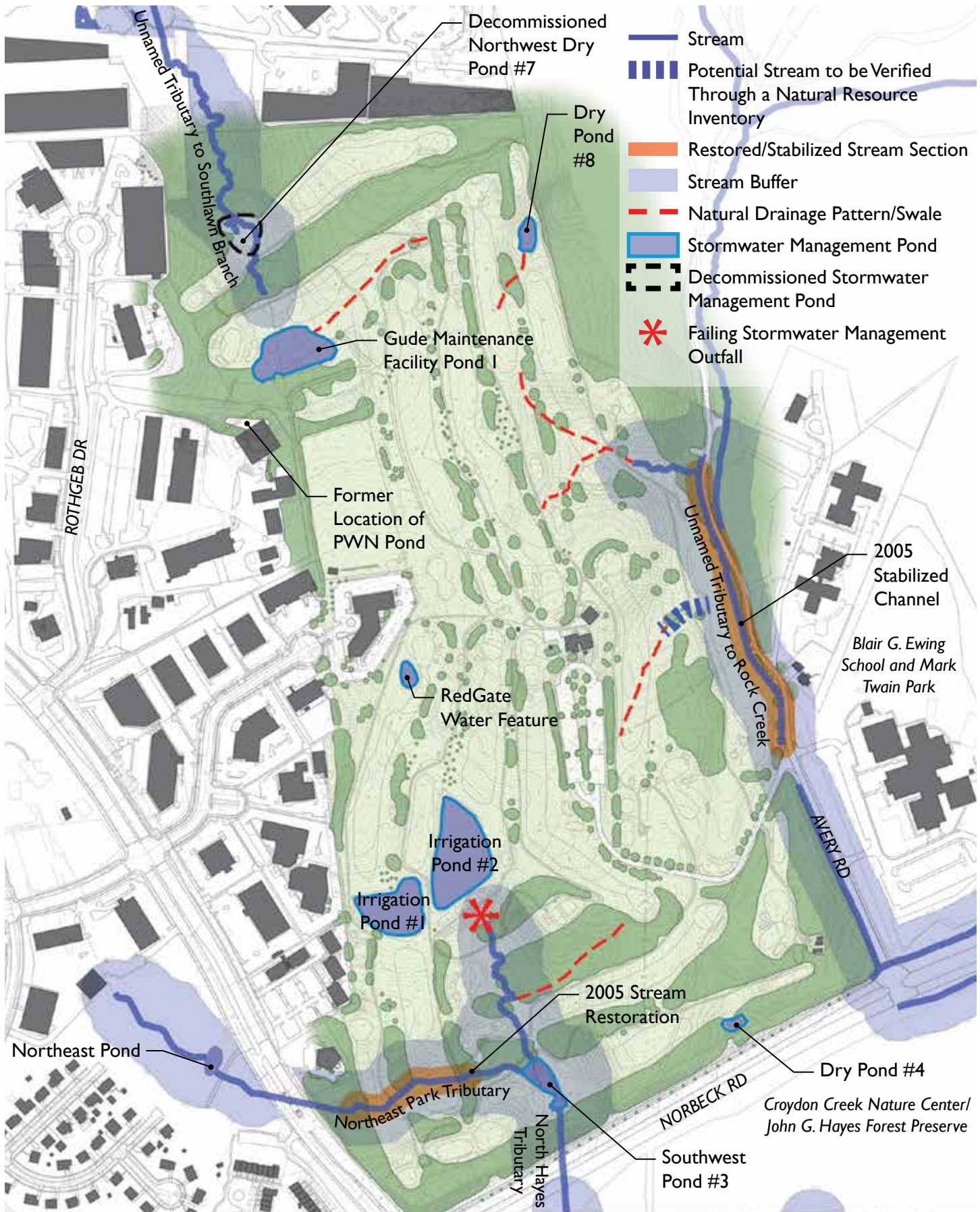
A geotechnical report prepared by a professional engineer will be required prior to development of the park. The report shall provide more detail of soil and geologic characteristics in order to determine whether soils can support the proposed development using suitable engineering measures that would remediate the poor soil conditions.



RedGate Northeast Dry Pond #8



Steep Slope on Northern Section of Site



Environmental Features and Hydrology



Steep Slopes and Soils

Vegetation

Vegetation on the site is defined by woodlands, tree groves, buffer plantings, hedge rows, individual trees, mowed lawn and limited mow areas. While a detailed vegetation analysis was not done as part of this study, tree masses were provided by the City and are shown on the maps. Site observation was also conducted in February and August 2021. Predominant tree species observed within naturalized areas include White Oak, Tuliptree, Beech, White Pine, Pignut Hickory, and Sycamore (near streams). Additional tree species observed within naturalized areas include Green Ash, Black Walnut, Black Cherry, Ailanthus (Tree of Heaven), River Birch, Mulberry, Red Maple, Eastern Red Cedar, and Sassafras. Accent plantings of trees, likely planted as part of the golf course development, include Flowering Cherry, Copper Beech, Pin Oak, Japanese Zelkova, Norway Spruce, Bald Cypress, Arborvitae, Blue Atlas Cedar, Weeping Willow, and Golden Rain Tree.

The extensive lawn areas are the result of the site's former use as a golf course. Since the site discontinued its use as a golf course, the City has limited regular mowing to some areas. Many of the remaining areas have reverted to meadow allowing turf grasses to mature and other species to grow. The prevalent species within these areas are Common Boneset, a native flowering perennial in the aster family, and Burnweed. Additionally, the following have been observed: Common Milkweed, Swamp Milkweed, Common Mullein, Black-Eyed Susan, and Nettle species. While a significant amount of vegetation on site is native, invasive species are present—especially within stream buffers—including Japanese Stiltgrass, Japanese Honeysuckle, Beefsteak (Perilla spp.), Garlic Mustard, Sericea Lespedeza, and Porcelain-berry.

Approximately 8.2 acres of woodlands are protected within forest conservation easements.



Stream Buffers Add to the Diversity of Vegetation on Site



Larger Tree Groves and Openings Add Character to the Northern and Southern Sections of the Park



Vegetation

Utilities

Below is a description of the existing utilities based upon available information. The condition of all utilities described below is unknown and will need to be verified and capacities confirmed prior to the development of construction documents for park improvements.

Storm Drains

Off-site storm drainage is conveyed from Taft Court through a 27" reinforced concrete pipe (RCP) system (circa 1972) which outfalls into an existing on-site stormwater management facility, flowing north to south. Another 27" reinforced concrete pipe system, as well as an existing 18" system extending from development further south on Taft Court and properties further south on Gude Drive, outfall to an adjacent stormwater management facility to east of the facility described above. The western most facility outfalls to the eastern most, which then outfalls to the stream valley, crossing several former cart paths flowing to a system below Norbeck Road and eventually to Rock Creek.

A 30" high-density polyethylene (HDPE) storm drain system outfalls from the properties to the east of Rothgeb Drive to a small stormwater management facility at the northwest corner of the project limits. The facility then outfalls to the north toward a stream buffer.

Stormwater Management

Refer to the previous section on Hydrology.

Domestic Water

Currently, the water service to the former clubhouse is provided by the City of Rockville via an existing 8-inch water line extending from Taft Court. The condition of the water line is unknown. The system may be used for proposed park needs. Water and sanitary sewer service along the Avery Road corridor is provided by the Washington Suburban Sanitary Commission (WSSC) and portions of the park property fall within their jurisdiction.

Irrigation and Pump House

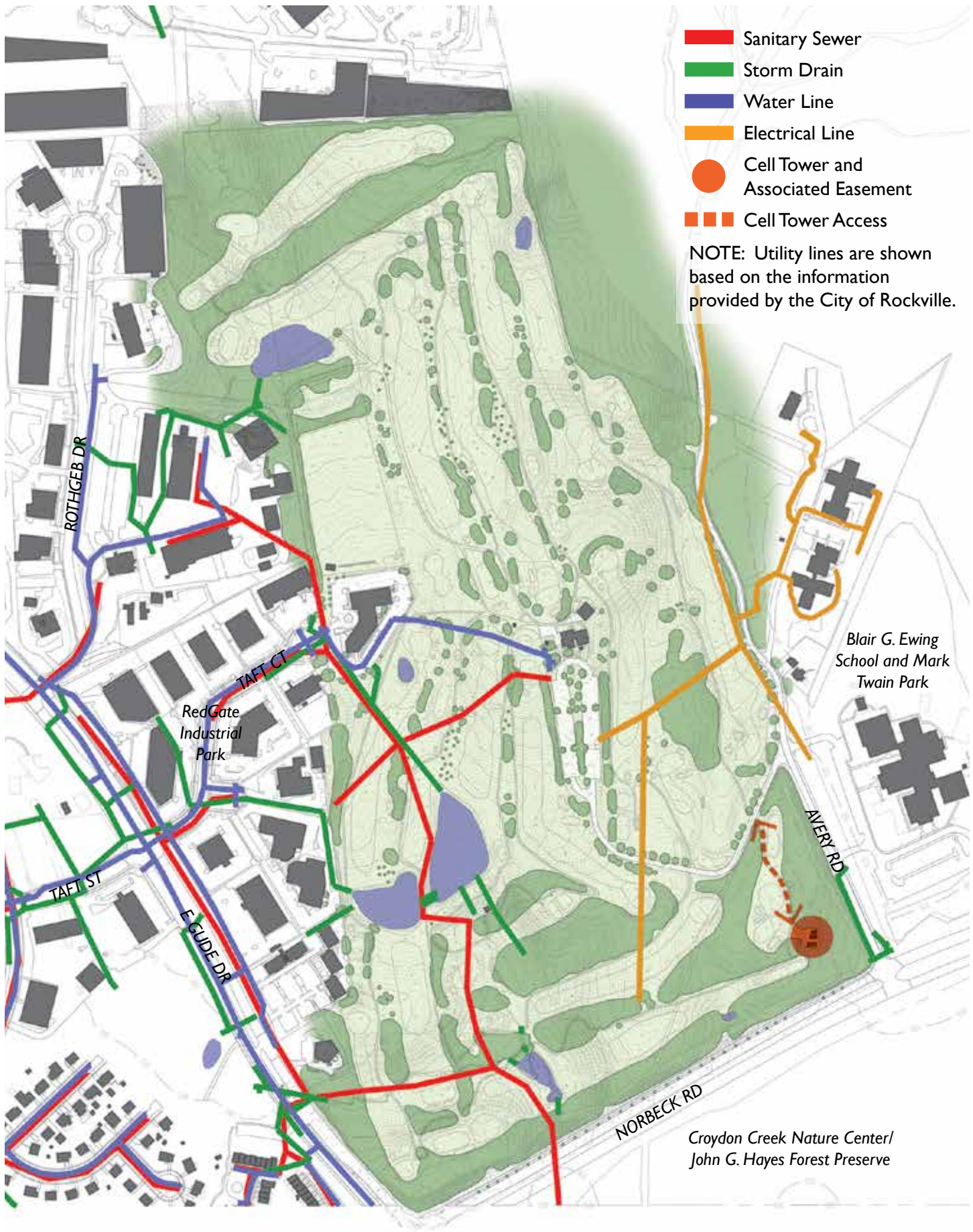
An existing irrigation system and associated pump house were utilized for the golf course. The latest plans for the irrigation system were provided by HydroDesigns Inc., dated 2000, and included irrigation for the entire golf course. The pump station plans date back to the original golf course installation in the early 1970's. The system has likely not been utilized since the closure of the golf course. The condition of the irrigation system and the pump house is unknown. However, based upon the age and intermittent use, much of the system may not be salvageable.

Sanitary Sewer

Existing 8" gravity sanitary sewer mains (pipes with positive slopes that do not require pumping) that convey off-site systems extend from the west side of the property at Taft Court and further south on Gude Drive; through the low-lying stream valleys; then combining and exiting to the west of the existing culvert under Norbeck Road. The service connection from the clubhouse connects to the sewer main from Taft Court. All sewer systems appear to be vitrified clay pipe (VCP) and conditions are unknown. The sewer mains conveying off-site areas will need to be maintained or relocated. Proposed park development systems may tie into the gravity systems.

Cell Tower and Associated Easement

An existing cell tower and associated easement is located near the southeast corner of the site. Ground Lease Documents dated 2003 indicate the easement was dedicated to APC Reality and Equipment Company, LLC, d/b/a Sprint PCS. Access to the cell tower extends from the park entrance road to the cell tower itself and should be maintained for the life of the tower.



Utilities

Power

The Potomac Electric Power Company (PEPCO) provides power to the former clubhouse and cell tower from a below ground feed along Avery Road. The existing power infrastructure has not been evaluated. This will need to be done in the future to confirm compatibility with the proposed park development.

Circulation

Vehicular Access and Circulation

Vehicular access to the park and existing parking lot is provided from Avery Road along the eastern edge of the property. Avery Road is two lanes and classified as a Primary Residential Class 2 Roadway with a posted speed limit of 25 miles per hour. The current egress configuration requires an extremely sharp turn for patrons exiting south on Avery Road, toward Norbeck Road. The sight distance to the left (or north) when exiting onto Avery Road appears to be limited and is of concern. A sight distance analysis has not been done.



Existing Park Pathways Traverse Rolling Hills and Steep Slopes

This is typically undertaken once desired park programming and master plan elements are determined so that any deficiencies in site distance can be mediated with proposed improvements.

Because of steep slopes and private development conditions along the perimeter of the park property, opportunities for additional vehicular access to the site are limited. The exception is at 6 Taft Court which is a City-owned building adjacent to the western park boundary. Additionally, there are no significant topographic constraints between 6 Taft Court and the park.

Pedestrian Circulation

The entire RedGate Park property is well connected with an internal pedestrian pathway network, resulting from the site's former use as a golf course. These paths provide access to all areas of the park and are well-used by park visitors.

While the park is well-served internally with a pathway network, pedestrian connections currently do not exist to the park from adjacent properties or from the adjacent public sidewalk network. This extensive sidewalk network along adjacent public streets is outlined below:

- An asphalt sidewalk occurs along one side of Southlawn Court to the north;
- A concrete sidewalk occurs along one side of Rothgeb Drive to the northwest;
- Concrete sidewalks are located along both sides of Taft Court to the west;
- A concrete sidewalk is located along the east side of Gude Drive and an asphalt shared-use path occurs along the west side of Gude Drive to the west of the park;
- A shared-use path is located on the north side of Norbeck Road, adjacent to park property; and
- An asphalt and concrete sidewalk is located on the east side of Avery Road, from Norbeck Road to approximately 100' beyond the entrance to RedGate Park and the homestead at 14615 Avery Road. While this sidewalk is located on the opposite side of Avery Road from the park, no crosswalks

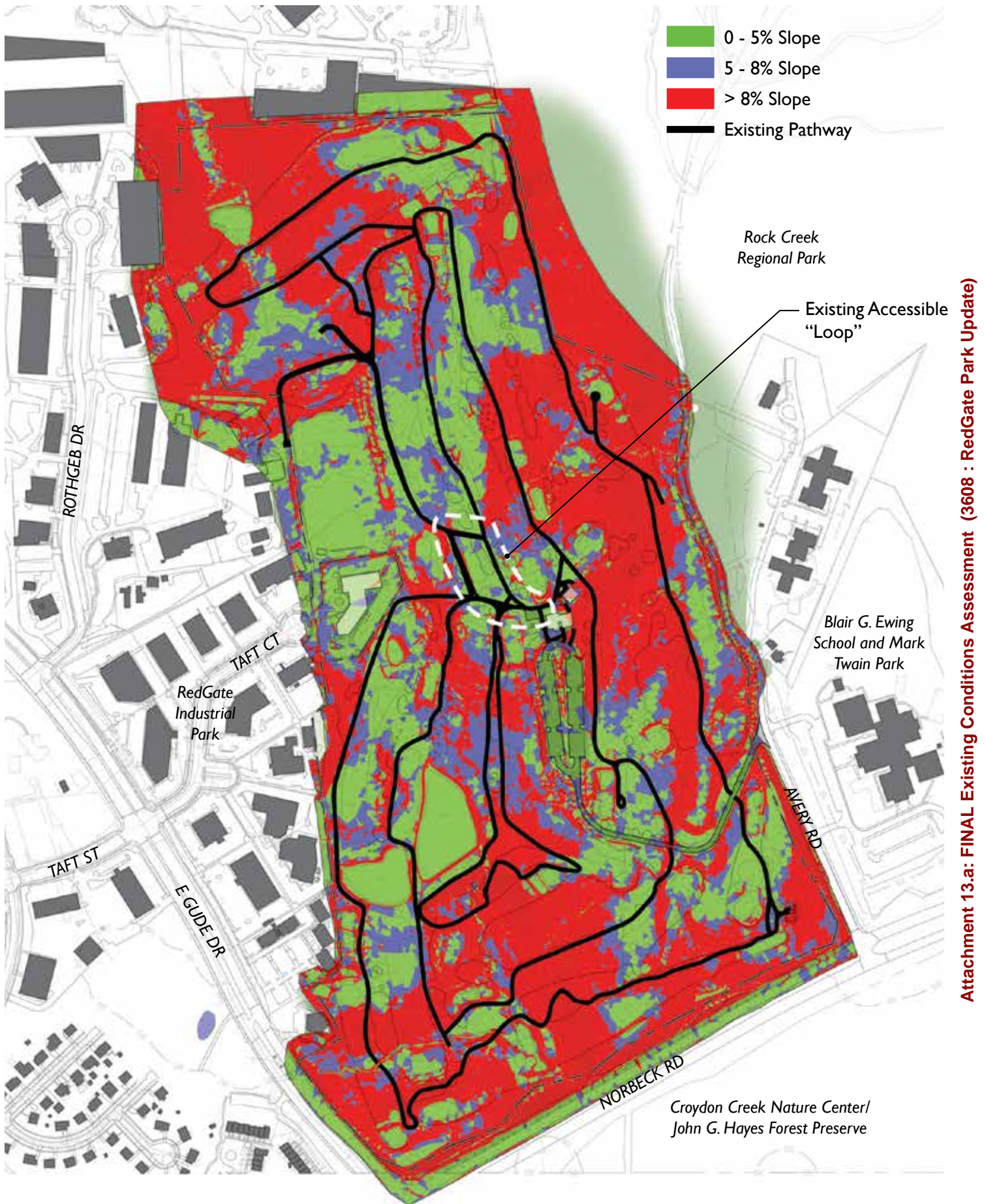
connect over to the park property with the exception of the intersection of Avery and Norbeck Roads.

Pedestrian Accessibility

Because the internal pathway network was established to follow the fairways, many of them are not ADA accessible, where maximum slopes should not exceed 5% (8% with handrails). The paths can be quite steep in many areas, often traversing a slope directly, rather than gradually following the contours of the land, and can even be challenging for able-bodied individuals. Some of these steep sections may present some interesting opportunities, however, for park programming while other sections might be considered for removal.

The following Accessibility exhibit highlights the pathway network superimposed over a slope map. While many sections of pathways are located on slopes 5% or less (and considered accessible), they are interrupted by sections of pathways over 5% and, in many cases, over 8%. Therefore, except for one small area near the clubhouse, there are no fully accessible "loops" within the entire pathway network.





Accessibility

Adjacent Land Use

RedGate Park is currently surrounded by a variety of non-residential uses. Civic uses occur to the east of the park, with the Blair G. Ewing School and Mark Twain Park property and the Avery House rehabilitation center. As noted in the summary of the Recreation and Parks Strategic Plan, Mark Twain Park and its associated recreational facilities/amenities (shared with the Blair G. Ewing School) are considered “at-risk” with the potential for these facilities being lost from the park system. Facilities/amenities here include two ball fields (with an overlapping rectangular multi-purpose field), tennis court, basketball court, playground and park shelter.

Additional civic uses occur adjacent to the west and include the city’s Public Works and Recreation and Parks Maintenance Complex. The RedGate Industrial Center is also located to the west, between East Gude Drive and RedGate Park and is comprised of a range of office and light industrial uses, including general, medical, and professional offices; research laboratories; restaurants; commercial recreation facilities; and some retail and wholesale businesses. Service industrial uses are located to the north and northwest of the park and include two large indoor recreation facilities, the Sportsplex at Rockville and Rockville Ice Arena. Public Park uses are located to the northeast and

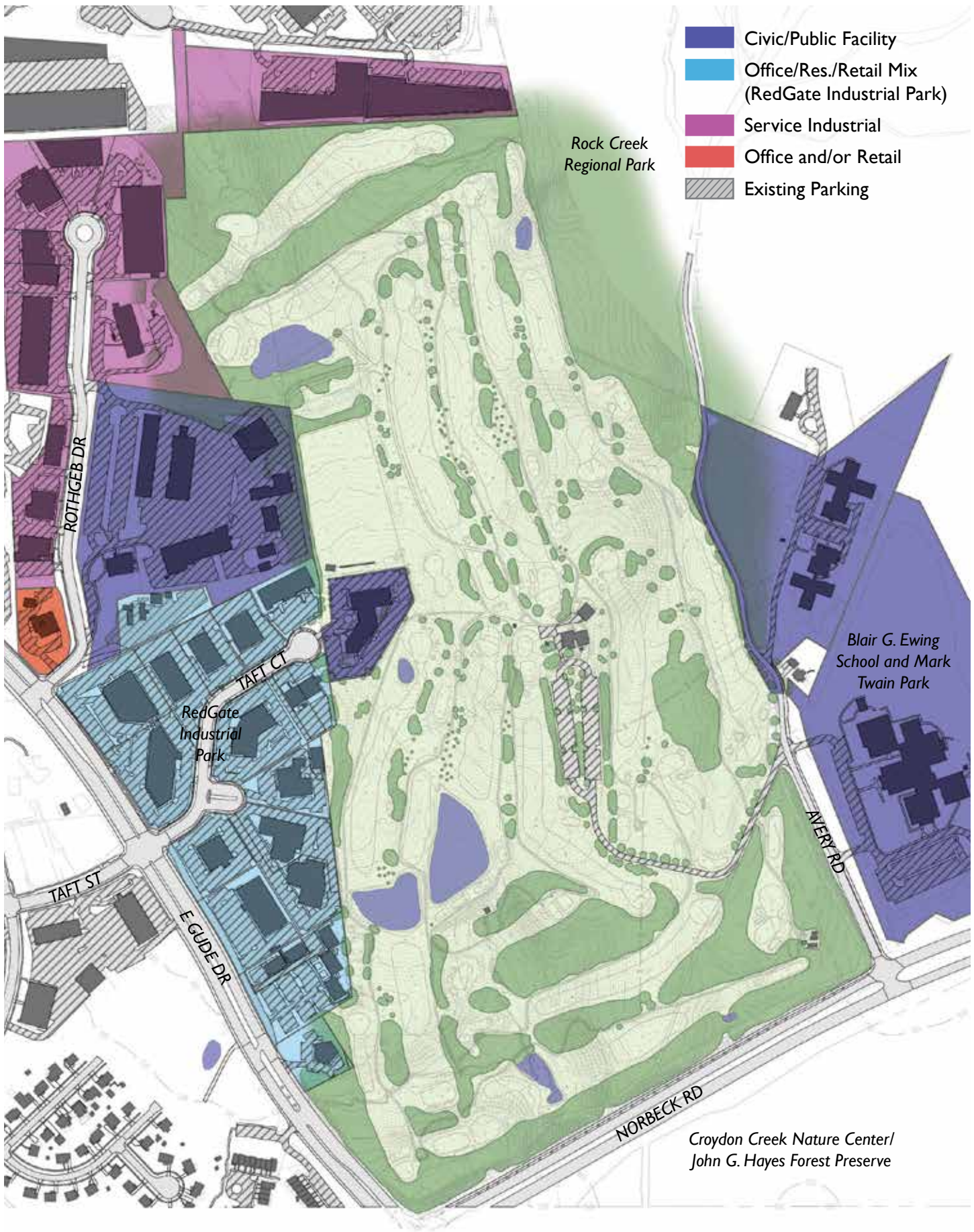
south with Rock Creek Regional Park and the Rockville Civic Center/Corydon Creek Nature Center.

While no residential uses currently exist in the RedGate Industrial Center, the Land Use Policy Map for Planning Area 17, included in the Rockville 2040 Comprehensive Plan, designates this area Office Residential Retail Mix (ORRM). This leaves the potential for more mixed-use in this area, adjacent to the park, should redevelopment of any of these parcels occur in the future.

The lack of residential development adjacent to the park has advantages and disadvantages. A disadvantage is that the uses that currently exist do little to activate or engage with the park. An advantage is that some potential park program elements would not be disruptive to adjacent residences, in terms of crowds, noise and/or lighting. Another advantage is that the surrounding uses to the west include significant surface parking lots that remain largely empty in the evenings and on weekends, when park usage will be greatest. There may be opportunities to partner with adjacent business and property owners to explore utilizing some of these parking areas during times of peak park usage.



The Adjacent RedGate Industrial Park Has Both Advantages and Disadvantages for the Park, Credit: Google



Attachment 13.a: FINAL Existing Conditions Assessment (3608 : RedGate Park Update)

Adjacent Land Use

Park Edges

The park edges vary and are informed by the landform, adjacent uses, and the park's previous use as a golf course. For much of its perimeter, park edges are defined by woodlands. Along the northeast boundary, these woodlands are an extension of the woodlands associated with Rock Creek Regional Park; to the northwest, the woodlands are associated with a smaller tributary and its associated steep slopes. Similarly, a woodland buffer defines the southern boundary of the park and provides a buffer along Norbeck Road. Much of the western perimeter is characterized by the light industrial/office uses along the western perimeter. In some instances, the uses back onto the park and are heavily buffered with screen planting. In other instances, the office uses tend to have equal façade treatment on all sides and front onto and engage the park. The City maintenance yard has significant frontage on the park at the north end of the perimeter with limited buffering or screening. Portions of the eastern boundary have somewhat open edges that allow for views to and from uses across Avery Road.

The natural woodlands present a positive image for the park edges from both within and outside the park, and they lend a sense of seclusion and separation from adjacent land uses in some instances and a seamless connection in others (such as to Rock Creek Regional Park). In many instances, however, where uses directly abut the park property, the edges have been planted with landscape buffers. This deliberate screening/buffering can sometimes be a visual and physical barrier between the park and these adjacent uses. While these buffers are largely a function of the previous use of this property as a golf course, opportunities may exist to open up some of these edges and create stronger visual and/or physical connections so that the adjacent uses can better engage with the park, if appropriate.

Existing Character Areas

The landform, vegetation patterns, and existing developed area (clubhouse, parking and access drive) all help to define different character areas within the park. These existing character areas are spaces within the park that have a distinct set of characteristics and feel differentiated from surrounding park spaces. As a whole, these character areas create a dynamic experience for park visitors that changes both as they walk the park's path network and return to the park through the seasons.

As park programming is determined and site planning options are explored, it will be important to understand how these existing character areas can inform the site planning. Additional vegetation and/or landscape management practices can be utilized to accentuate the different character areas. Additionally, the location of pathways, roads and parking should take into consideration as to how they respond to and move through the different areas as well as to the spaces within these areas.

The existing character areas are broadly defined in the following categories and identified on the Existing Character Areas exhibit.

Arrival Experience: The existing driveway and parking area serves as a dramatic arrival experience as the tree-lined drive winds along and defines an open front lawn. Given that many park visitors arrive via car, this is the existing first impression of the park.

Front Lawn: The front lawn is defined by the existing entry driveway, parking lot, and clubhouse to the west. This area supports the arrival experience for those entering the park off of Avery Road by providing sweeping views across the space that serve as a welcoming invitation to the park and highlight its expansiveness. Viewed from above on the clubhouse deck, the front lawn provides an open foreground that allow for views across the park and beyond.

Rolling Meadow/Lawn: Previously uniformly maintained lawn areas translate into a combination of rolling meadows and low meadows in addition



Park Edges

to traditional open lawns, all of which knit the site together. Given the site's topography, much of the park has a rolling hillside character. In some areas, limited mow areas have generated sweeping meadows that cascade with the rolling topography. Elsewhere, centralized around the clubhouse, the rolling nature of the landform continues with actively mown lawns instead of the meadows. This shift between meadow and open lawn adds interest and character to the park by providing diversity to the vegetation and defines zones for certain activities.

Low Meadow: The area along Avery Road has similarities to the rolling meadow character area with its rolling terrain and meadow vegetation, but it is distinct in its overall context within the site. The hillside and forest patch east of the clubhouse separate this area from the rest of the park to create the sense of a distinct zone along Avery Road. Additionally, the stream running along Avery Road and its associated vegetation typical is low/wet areas, accentuates the character of this space.

Open Forest: The northern and southern sections are defined by woodlands that are fragmented by former fairways. These "open forest" areas are where significant stands of trees define spaces but allow views through into other spaces. Passing through the open forest gives the impression of going in and out of a dense woodland while

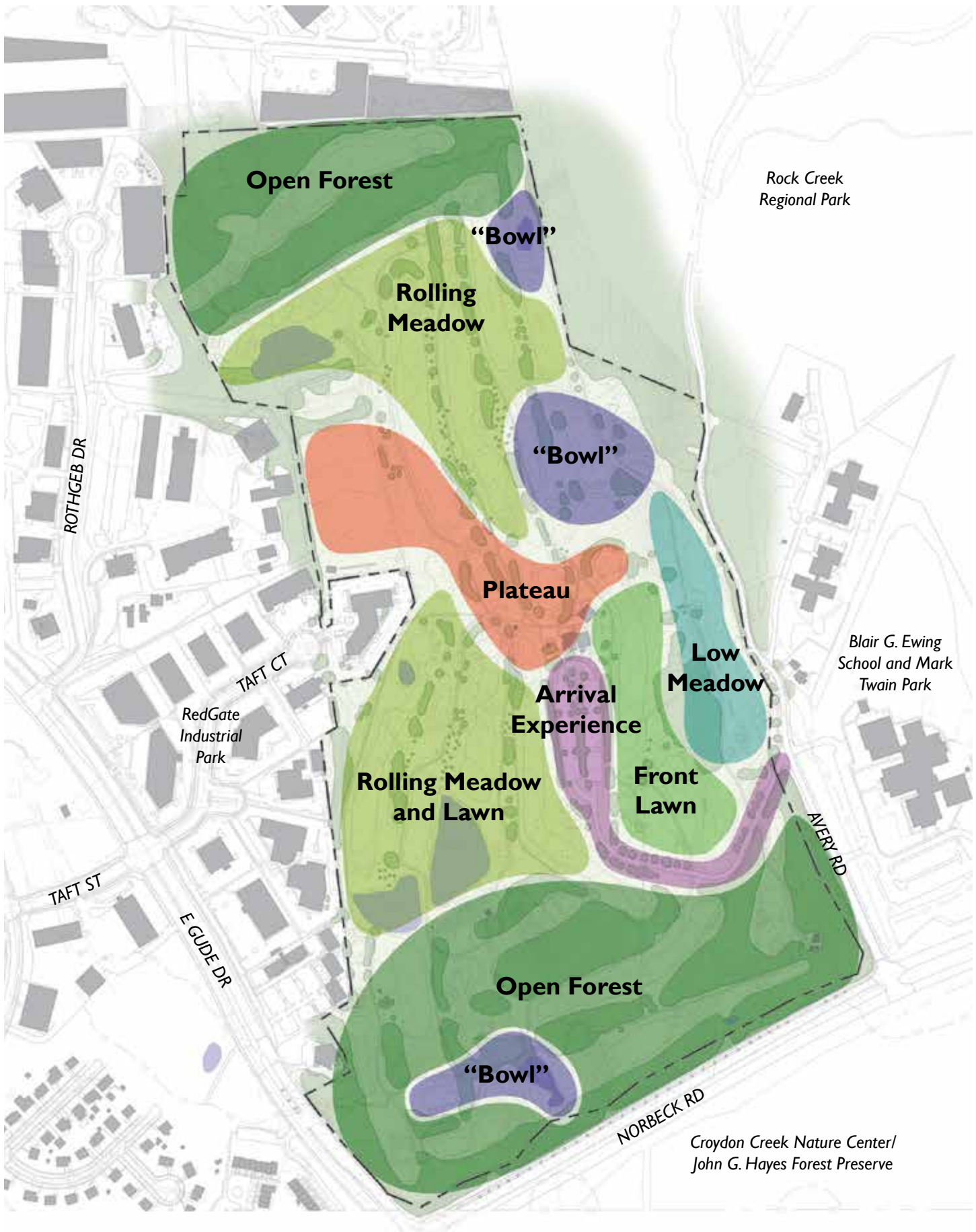
passing through a series of outdoor rooms or forest clearings.

Bowl: These areas are distinct in that they are defined by the topography as a natural bowl. Hillsides on all sides create the sense of a natural inward-facing enclosure that defines a space at the center. The result is a more intimate moment within the broader park itself. The area to the south end of the park is unique in that a stream runs through the area. In this area, the open forest and bowl characters of the site overlap and complement each other. To the north, a smaller bowl is centered around a stormwater management pond that is slated to be decommissioned, a series of steep hillsides, and canopy opening.

Plateau: The high ground in the center of the site is a plateau that affords views to the entire park and beyond. This area is generally flatter than other areas of the park and has a distinct character in the absence of the rolling hillsides and tree canopy found elsewhere. This area has a greater sense of "openness" because of its elevation, relatively flat topography, and broad views across the park.



Rolling Meadows Have Replaced Many of the Maintained Lawn Areas of the Former Golf Course



Existing Character Areas

“Outdoor Rooms” / Spaces

In addition to broader character areas, the combination of landform, vegetation, and fairways associated with the golf course further subdivides the park into smaller spaces or “outdoor rooms” within the different character areas. Some of these rooms are associated with higher ground and have expansive views of the entire park, while others are associated with low areas and are very inward oriented with a strong sense of enclosure. As the program is developed for the park, this division of spaces presents an opportunity to create separation among distinct program elements. It also presents an opportunity to curate a park user’s experience as they move from one room to the next.



Steep Hillsides, Existing Vegetation, Built Features Divide the Park into Small Spaces or “Outdoor Rooms”



"Outdoor Rooms" / Spaces

Buildable Areas

“Buildable areas” are those areas of the park where development of significant park program elements can occur, as grading, construction, and other impacts are not prohibited by environmental and regulatory constraints such as wetlands, floodplains, stream buffers, forest conservation easements, and steep slopes. Based upon the environmental and regulatory constraints described in this report, which comprise approximately 38 acres, a balance of approximately 93 acres remain from the total of 131 acres to be considered for park development. It is important to note that while the land may be technically buildable, other factors such as the presence of existing trees (not protected within a forest conservation easement), unique landforms, the existing character and the existing qualities of the space, should be taken into consideration to determine what type of park development is appropriate. Additionally, low impact improvements such as pathway connections, boardwalks, observation platforms, and signage may be permitted within some of the environmentally constrained areas for nature-based programming.

NON-BUILDABLE AREA

Non-Buildable Area (Stream Buffer, Slopes >25%, Forest Conservation Easement, Stormwater Management Ponds)	+/- 38.5 acres
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Sub-total Non-Buildable Area +/- 38.5 acres




BUILDABLE AREA

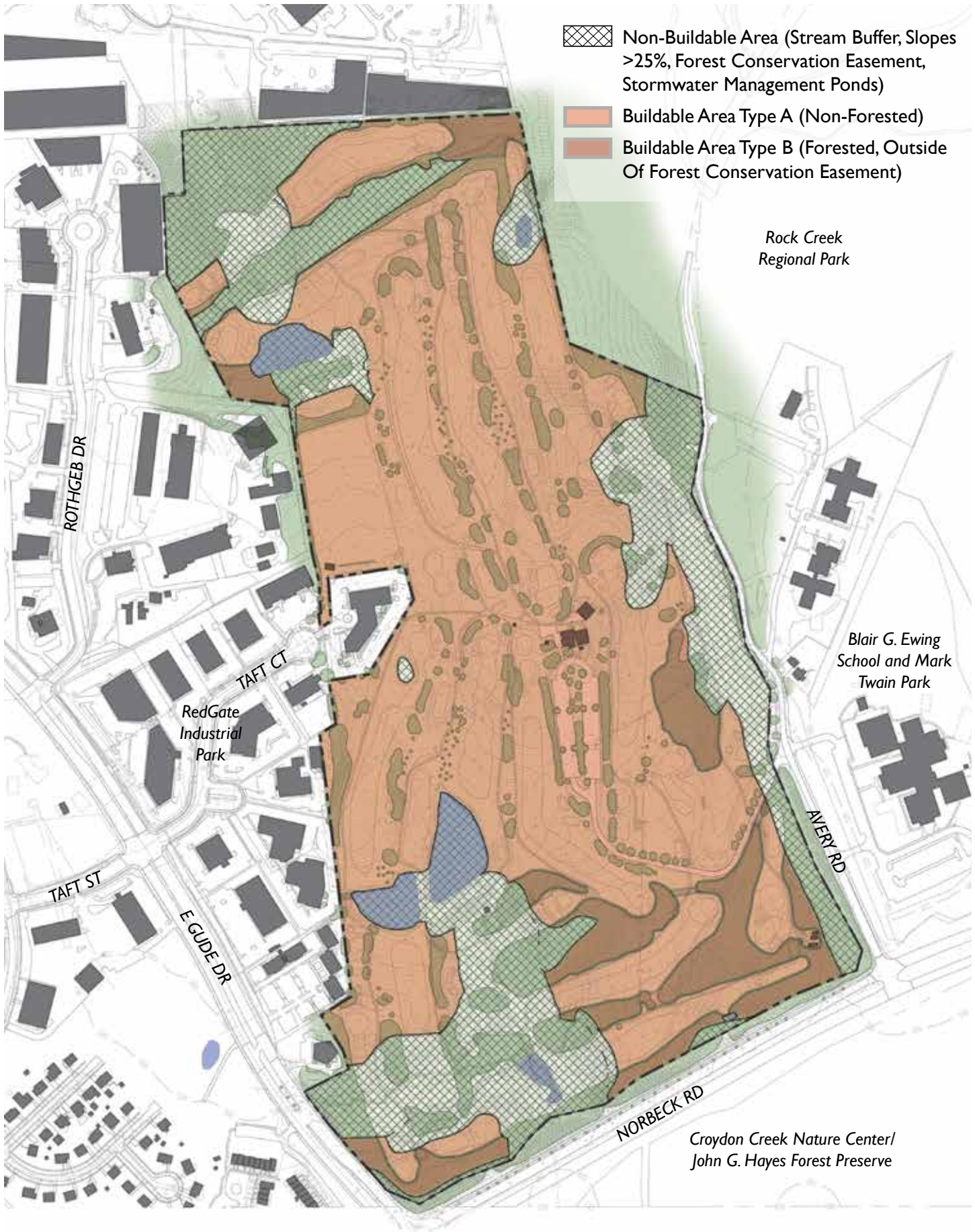
Type A (Non-Forested)	+/- 82.0 acres
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Type B (Forested, Outside Of Forest Conservation Easement)	+/- 10.5 acres
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Sub-total Buildable Area +/- 92.5 acres

TOTAL	+/- 131 acres
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-  Non-Buildable Area (Stream Buffer, Slopes >25%, Forest Conservation Easement, Stormwater Management Ponds)
-  Buildable Area Type A (Non-Forested)
-  Buildable Area Type B (Forested, Outside Of Forest Conservation Easement)

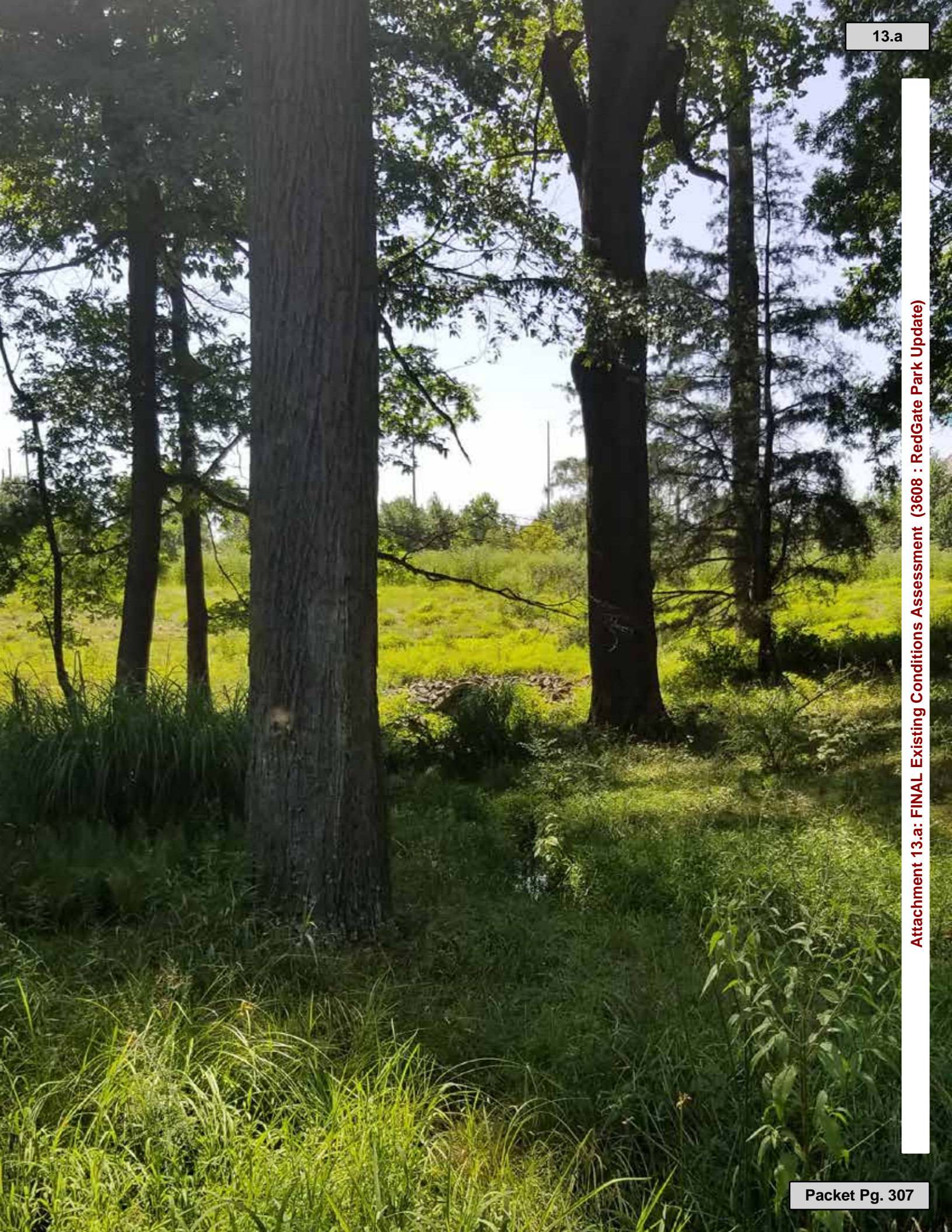


Buildable Areas

Conclusion

The existing conditions described in this report, combined with existing and forthcoming community input, will serve as the foundation for the development of alternative concept plans showing how RedGate Park can sensitively accommodate both passive and active programming. As alternative concepts plans are developed, the following questions should be considered, but not limited to:

1. How can the concept plans best address the system-wide and RedGate Park-specific needs and priorities identified in the Recreation and Parks Strategic Plan?
2. How can the existing landform guide the location of program elements so that site grading can be done sensitively in a way that reinforces the landform?
3. How can environmental features not only be protected but enhanced throughout the site, maximizing opportunities for increased awareness of their benefits?
4. How can existing regulated ponds, used to meet water quantity and pre- 2009 quality management requirements, be best integrated into the overall park design to maximize their aesthetic as well as functional value?
5. Should all non-regulated ponds be decommissioned so that the space can be used for new park elements or Environmental Site Design facilities?
6. How can Environmental Site Design facilities used to meet current stormwater management requirements be incorporated into the overall landscape to serve as both aesthetic and educational resources?
7. Because all new development is subject to the Maryland Department of the Environment's (MDE) new 2009 Environmental Site Design regulations (which requires smaller/micro facilities), is it practical to try to utilize the existing ponds for new development, recognizing it may require an extensive review and coordination process?
8. What additional studies/assessments will need to be completed once there is an understanding of the preferred program elements?
9. What connections (both physical and visual) to surrounding land uses are important to provide for? What connections should be buffered or discouraged?
10. How can the existing internal pedestrian circulation network be adapted to provide for greater accessibility to or within all areas of the park? Which non-accessible pathways should remain, and which should be removed? How should vehicular access be provided to areas that cannot be reached by accessible pathways but can accommodate accessible pathways within?
11. How can ADA access and universal site design opportunities be integrated into the design of the park?
12. How can the unique character of different areas within the park be protected and accentuated? How can they inform which program elements are appropriate for different areas within the park?
13. How is the need for protecting natural spaces balanced with the need for increased active facilities and uses?
14. Which existing outdoor "rooms" and spaces, largely defined by the golf course fairway design, should be protected and reinforced? Which should be altered to better relate to potential program elements?
15. Which areas of the park are appropriate for the greatest change and which areas are appropriate for the least amount of change?





Reimagining RedGate Park

RedGate Park Today and Envisioning the Future

SURVEY RESULTS

Community Engagement Spring 2021



Executive Summary

Overview

Since 2018, when the golf course at RedGate closed, the 131-acre property has been embraced by the residents of Rockville as a park. With the unanimous support of the Mayor and Council, the City of Rockville has begun to develop a concept plan for one of the largest parks in Rockville.

The City of Rockville launched a website, EngageRockville.com as a hub for the project, with the goal to collect as much feedback as possible. Building on the information gathered during the recently completed Recreation and Parks Strategic Plan, additional community engagement and input is needed for RedGate Park's continued success as a destination park.

Survey Outreach

The website hosted a survey that was available from March 22, 2021 to April 16, 2021, to solicit information on how RedGate Park is currently used and the priorities for what amenities and facilities should be on the site in the future. The survey was available in English, Spanish and Mandarin.

The website and the survey were widely advertised through:

- Rockville Reports, RockvilleReports.com, and the Rockville Reports e-newsletter
- Nextdoor
- City's social media channels
- Notifications to neighborhood associations and civic associations
- Notifications to individuals who had previously sent in comments or feedback on the future of RedGate Park
- Signs and banners posted at RedGate Park and the Rockville Swim and Fitness Center

A total of 1,446 respondents, residents and non-residents participated in the survey. This report shows:

- Charts with overall results of the survey
- Maps illustrating where respondent's live
- Current use of RedGate Park and frequency
- Desired amenities/activities and their priority (by residents and non-residents)

The impressive amount of feedback received displays not only the amount of interest in RedGate Park but also key insights into how the park is used today and how it can be used in the future.

Common themes heard throughout the process are highlighted below.

RedGate Park Today:

- Residents and non residents are excited about RedGate Park, planning for the park's future and have similar views about how the park should be used.
- A large majority of park users think RedGate Park is in excellent or good condition.
- The park is well used and a lack of available time is what prevents most users from visiting the park more often.
- Walking, nature observation and bird watching are the most common activities park users partake in when visiting RedGate Park today.
- The vast acreage of RedGate Park provided a respite for many during the COVID-19 pandemic.

RedGate Park's Future:

- Natural habitats for wildlife and bird-watching are very important to today's park users who have strongly expressed their desire for preservation of the existing habitats.
- Respondents expressed a desire to ensure that the park offers amenities and activities for users of all ages and abilities.
- Opportunities to play sports, gather as a community, and enjoy nature are important features for future park users.
- Park users are extremely interested in the possibility of additional restrooms at the park.
- Places to display public art and enjoy natural elements, such as butterfly gardens, should be explored as part of RedGate Park's future.
- Residents and non residents are interested in participating in both passive and active recreation activities at RedGate Park.
- Respondents indicated that a creative funding solution that incorporates public and private funding as well as user fees should be considered to fund the construction, maintenance and programming at RedGate Park.



How do *you*
imagine RedGate Park's future?



Since 2018, when the golf course at RedGate closed, the 131 acre property has been embraced by the residents of Rockville as a park. With the unanimous support of the Mayor and Council, the City of Rockville has begun to develop a concept plan for the largest park in Rockville.

Building on the information gathered during the recently completed Recreation and Parks Strategic Plan, additional community engagement and input is needed for RedGate Park's continued success as a destination park.

In order to collect as much feedback as possible, while following the necessary safety precautions during the COVID-19 pandemic, the City of Rockville launched a website, EngageRockville.com as a hub for the project. The website hosted a survey that was available from March 22, 2021 to April 16, 2021, to solicit information on how RedGate Park is current used and the priorities for what amenities and facilities should be on the site. The survey was available in English, Spanish and Mandarin.

The website and the survey were widely advertised through Rockville Reports, RockvilleReports.com, and the Rockville Reports e-newsletter. It was also shared on Nextdoor, shared via the City's social media channels and notification was sent to neighborhood associations, civic associations, and to individuals who had previously sent in comments or feedback on the future of RedGate Park. Signs and banners announcing the site were also posted at both RedGate Park and the Rockville Swim and Fitness Center.

In addition to the survey, EngageRockville.com hosted a forum in which participants could post their ideas for RedGate Park. Once an idea was posted others could indicate their support for the idea and post comments to further discuss the idea. Comments and feedback was also submitted by mail, email and voicemail.



Survey Respondents

Who Responded?

Total Respondents: 1,446

What Language did Respondents Select When Completing the Survey?

English Respondents: 1,441

Spanish Respondents: 5

Mandarin Respondents: 0

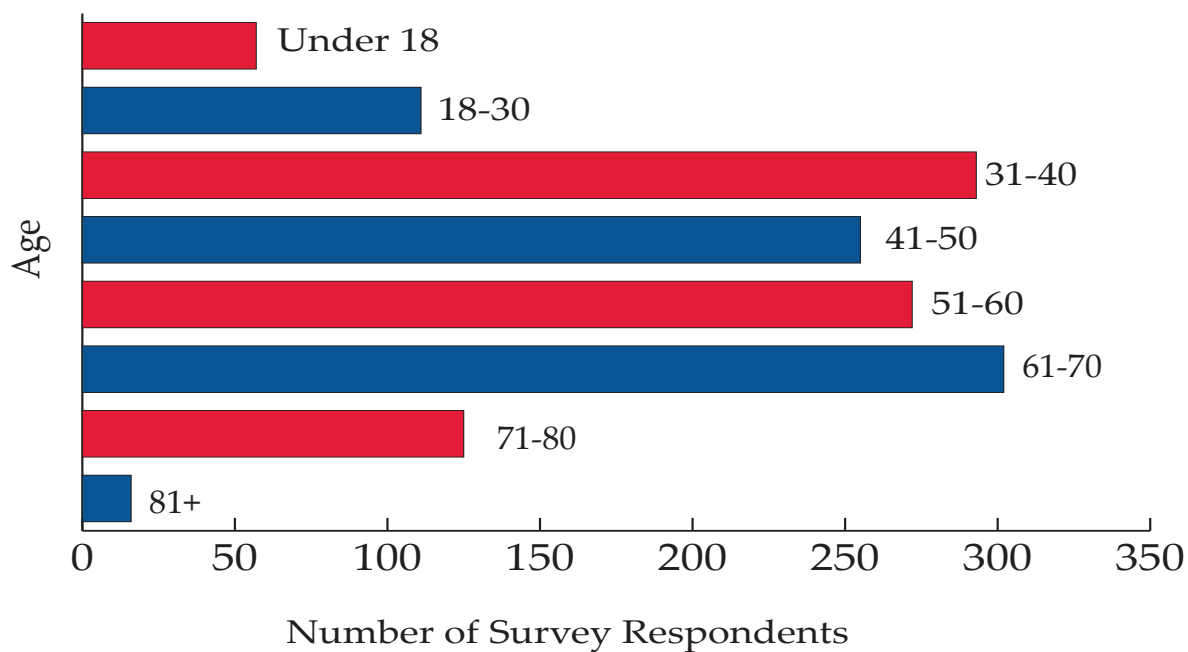
Where do the Survey Respondents Live?

Rockville Residents: 836

Non-Rockville Residents: 598

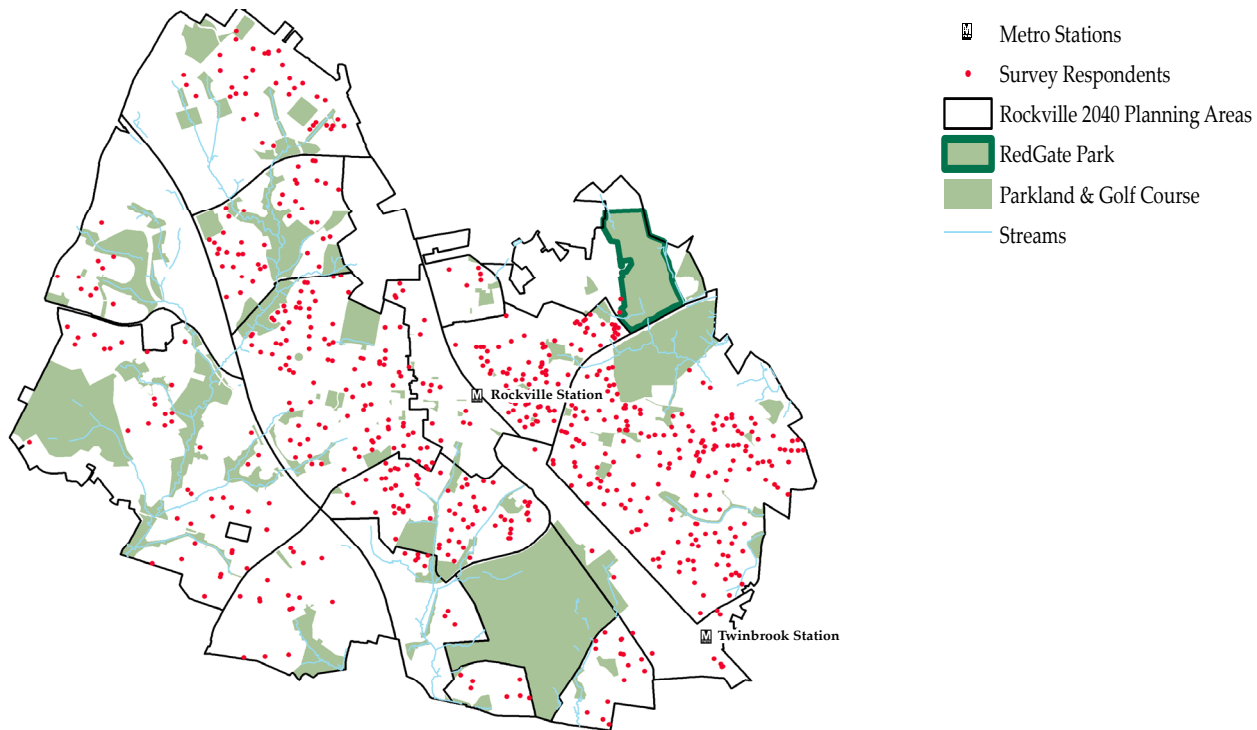
Respondents Who Didn't Provide Address Information: 12

How Old Were the Respondents?



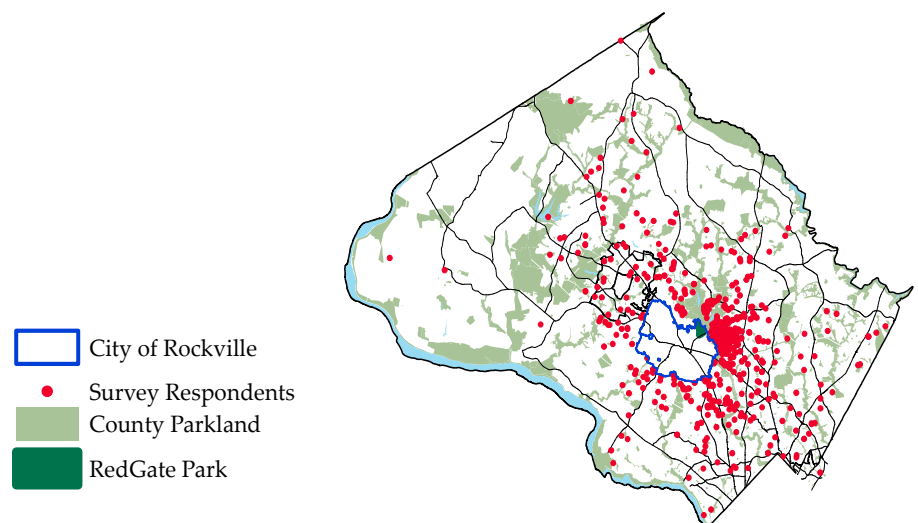
Where do the Respondents Live?

City of Rockville



836 (58%) of the Respondents Live in the City of Rockville

Montgomery County

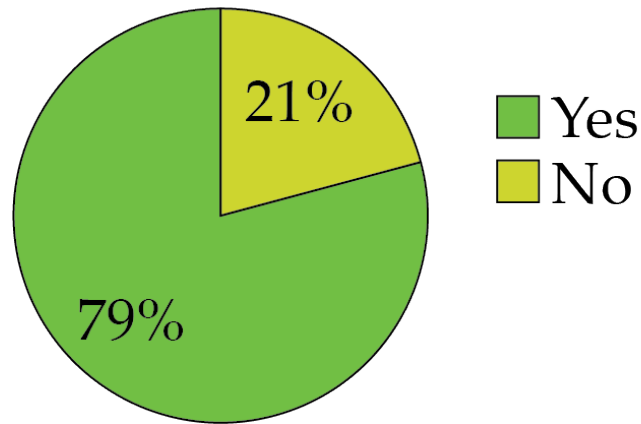


598 (41%) of the Respondents Do Not Live in the City of Rockville
Most of the Respondents who do not live in the City of Rockville reside in Montgomery County

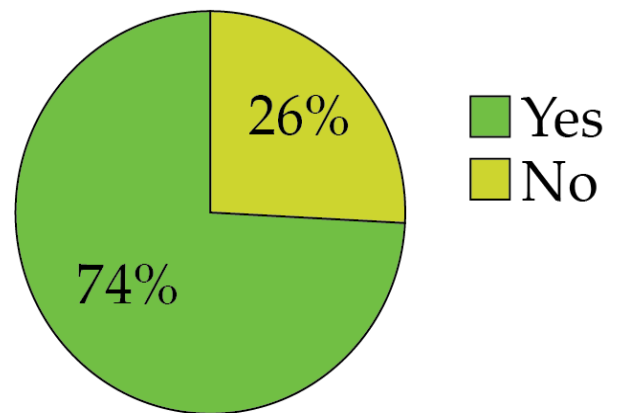
Note: Only respondent's who provided sufficient addresses information to be mapped are shown above

How is RedGate Park Used Today?

Have you or members of your household visited RedGate Park in the last three years?

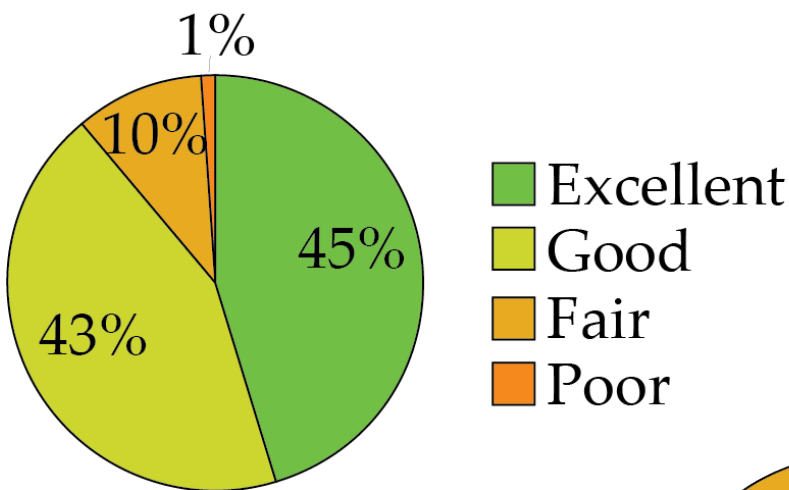


Resident

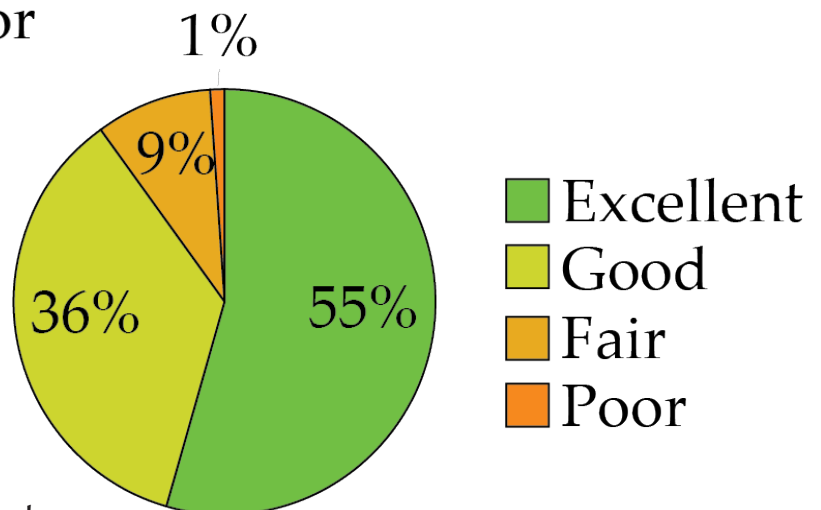


Non Resident

How would you rate your overall experience while visiting RedGate Park during the last three years?



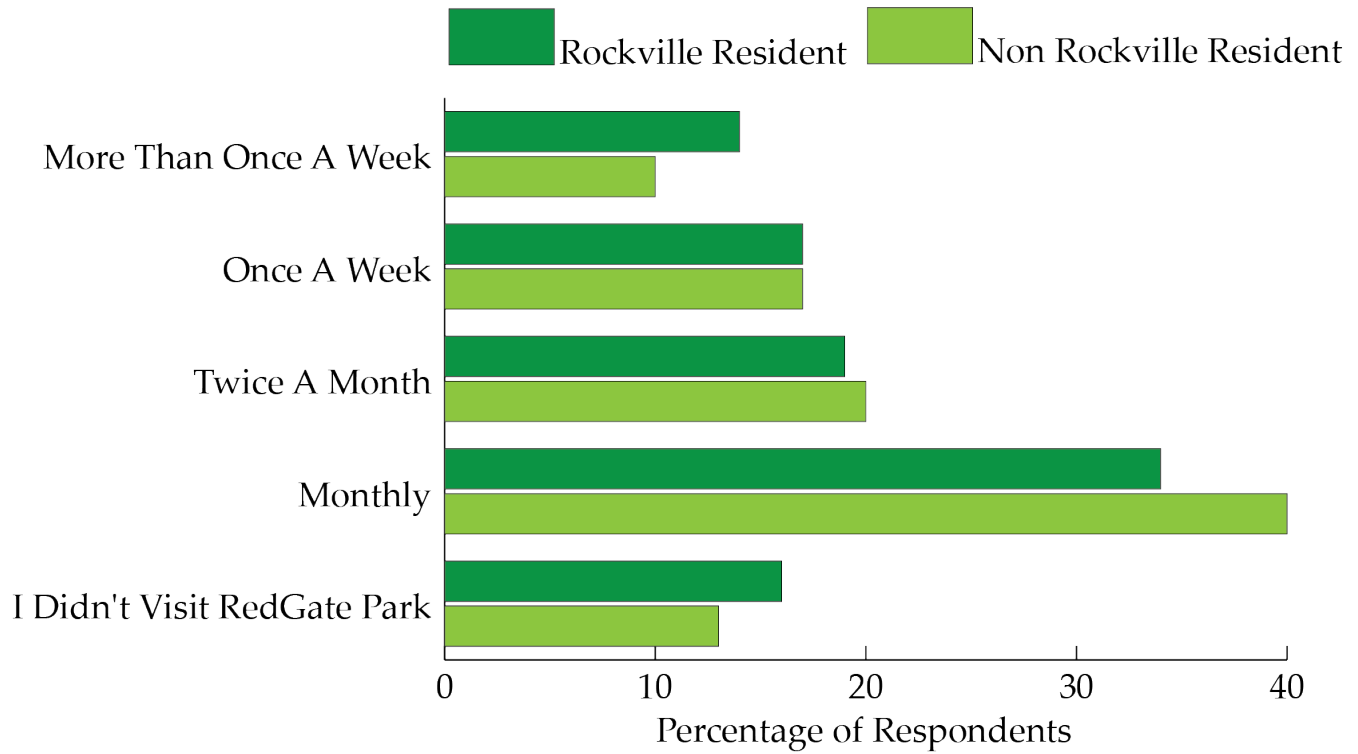
Resident



Non Resident

Note: Figures may not add to 100% due to rounding.

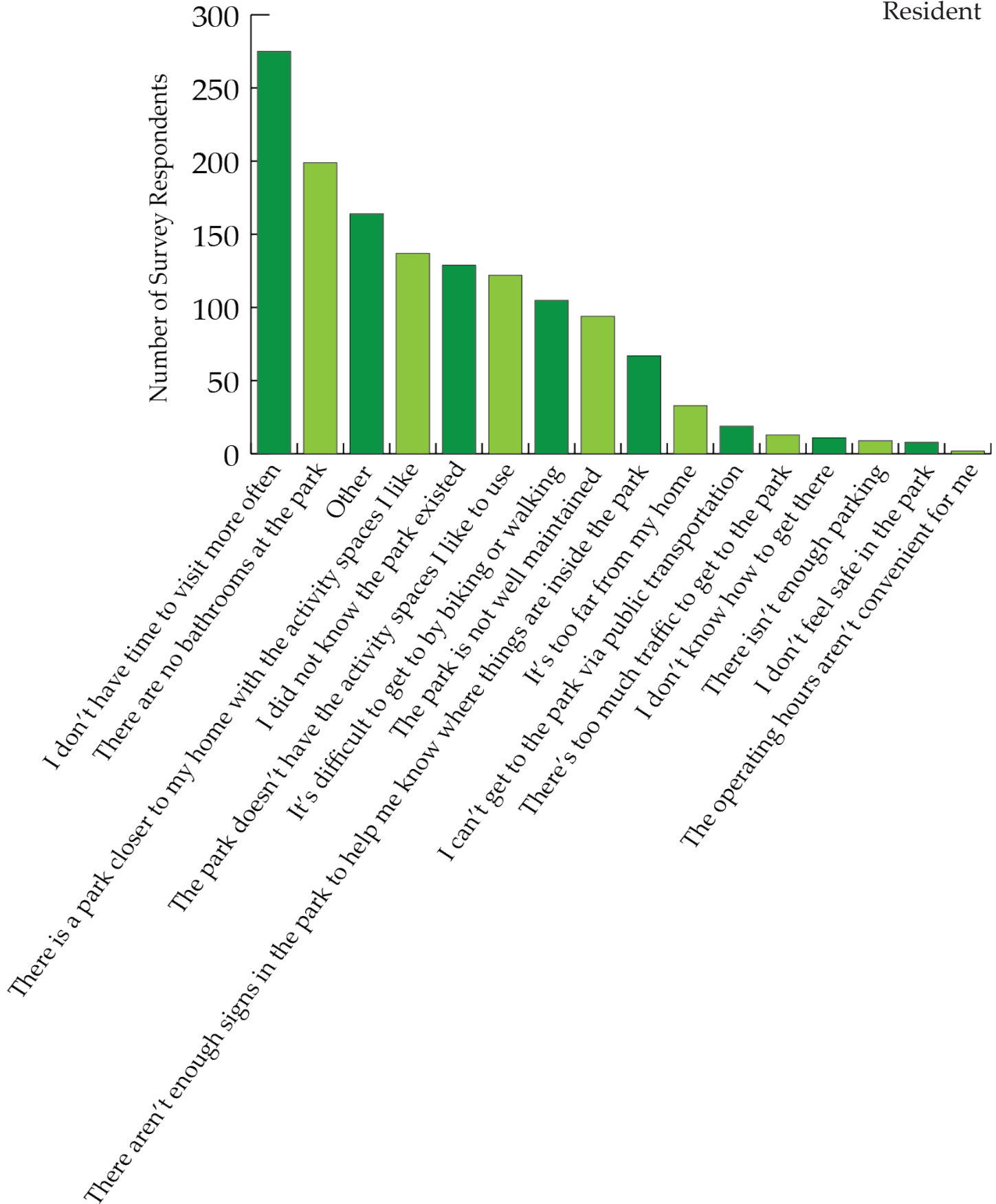
How often did you visit RedGate Park during this past summer?



What prevents you from visiting RedGate Park more often?

(Note: Respondents could select multiple options for this question)

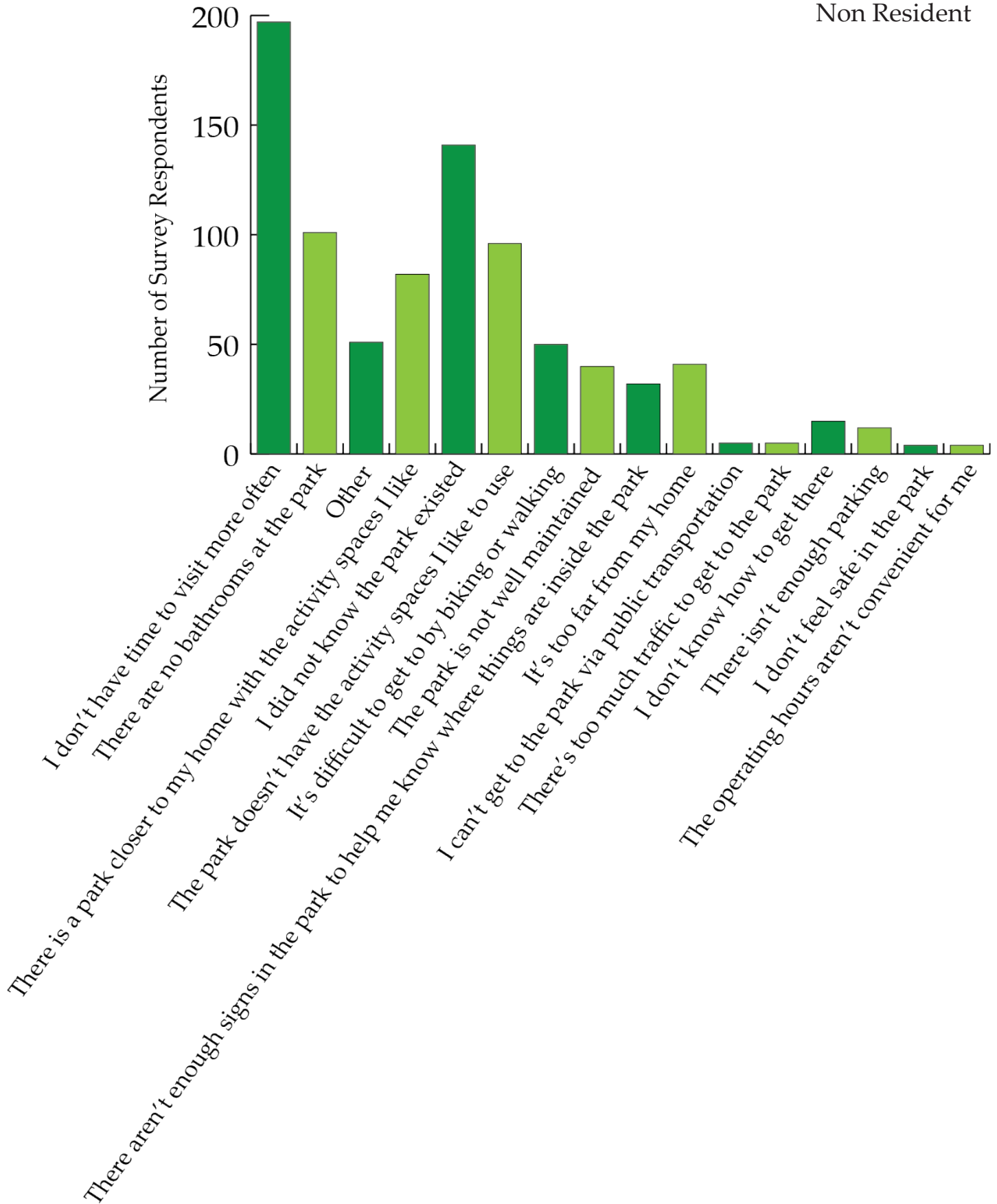
Resident



What prevents you from visiting RedGate Park more often?

(Note: Respondents could select multiple options for this question)

Non Resident



What prevents you from visiting RedGate Park more often?

Respondents Who Selected Other

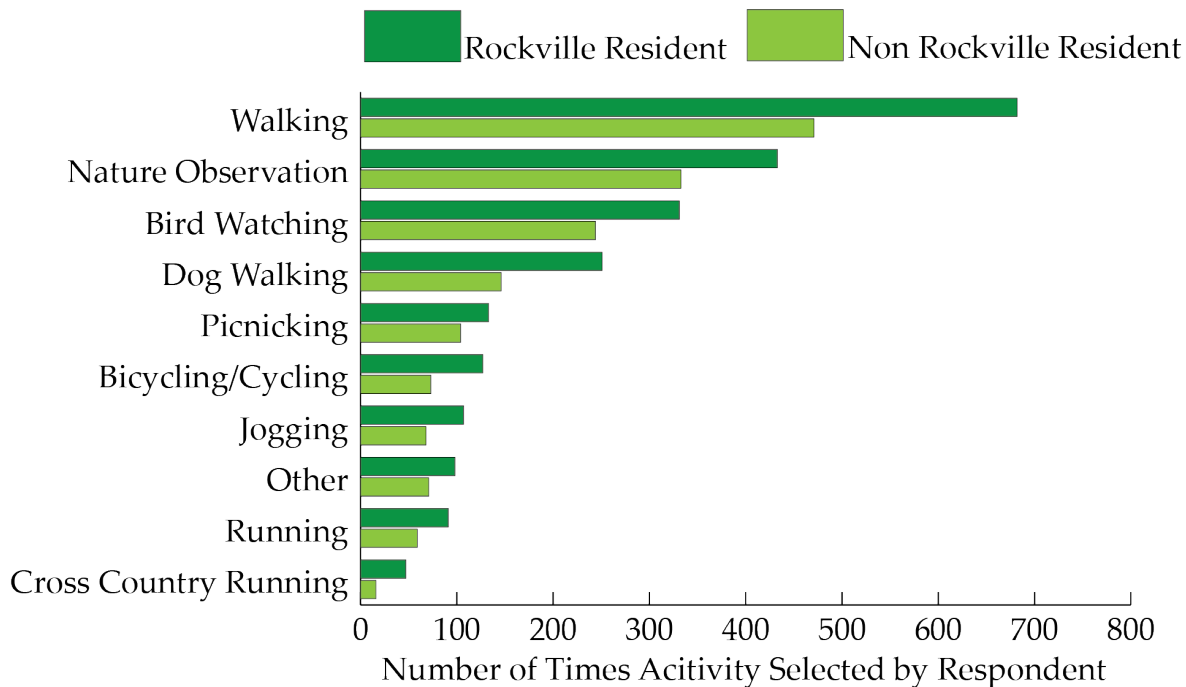
There were many commonalities between the feedback received from those who selected the other category among Rockville residents and non residents. Both groups indicated that concerns related to the COVID-19 pandemic limited the time they spent at RedGate Park. Additionally, both groups indicated that the following prevented them from visiting RedGate Park more often:

- The desire to visit a variety of parks rather than frequent one park
- RedGate Park not providing a specific amenity space or feature the respondent was interested in using, such as a golf course, drone field, a disc golf course, walking paths that are not as steep and connections to other recreation facilities
 - For Rockville residents the lack of a playground limited the time they spent at RedGate Park
- Many responses to the other category mirrored options available in the original question (including, but not limited to):
 - Not having enough time to visit more often
 - Not knowing the park was no longer a golf course and/or what amenities are available at RedGate Park
 - A lack of bathrooms at the park
- Residents and non residents also comment on the presence of dogs at the park. Comments ranged from those who were concerned about off leash dogs to the desire for dedicated areas for dogs.
- Many used the other category to express how much they enjoy the park's current conditions and that they visit the park frequently.



Please check all the activities you have participated in when you visited
RedGate Park:

(Note: Respondents could select multiple options for this question)



Please check all the activities you have participated in when you visited
RedGate Park:

Respondents Who Selected Other

Many of the respondents who selected the other category (both residents and non residents) noted that they have not visited RedGate Park and therefore had not participated in the listed activities.

Additional responses included (but were not limited to):

- Both residents and non residents enjoyed using RedGate Park as a place to have socially distant gatherings during the COVID-19 pandemic. Enjoying the company of family and friends, playing board games, and meeting with coworkers all took place at RedGate Park.
- Residents and non residents both used the park as a location to create a variety of art, ranging from photography, practicing music to drawing and sketching.
- The natural landscape attracted many individuals to the park. Both residents and non residents participated in helping to maintain the park by removing invasive plants and participating in weed warrior events. Respondents also noted how much they like spending time in nature, resting on the parks benches, flying kites, meditating, star gazing and reading.
- The open space to participate in sporting events drew many respondents to the park. Sledding, cross country skiing and other winter sports were popular among residents and non residents. In the warmer months, disc golf and playing frisbee, fishing, flying drones, and using the remaining sand pits as play spaces for children were popular.
- Both residents and non residents lamented the fact that RedGate Park is no longer a golf course.

Imagining RedGate Park's Future

Please select the features/amenities/activities that you would like to see at RedGate Park:

(Note: Respondents could select multiple options for this question)

<u>Activity</u>	<u>Percentage of Resident Responses</u>	<u>Percentage of Non Resident Responses</u>
Trails for hiking and walking	12.09%	12.75%
Natural habitats for wildlife and bird-watching	9.90%	10.72%
Botanical gardens/arboretum	7.52%	7.69%
Paved trails	6.68%	6.78%
Covered picnic shelters	6.15%	5.35%
Self-guided nature tour	6.02%	6.67%
Biking trails	5.35%	5.26%
Community event space (outdoor)	4.98%	3.49%
Playground	4.69%	4.38%
Amphitheater/entertainment venue	4.35%	3.29%
Dog park	3.41%	3.32%
Community event space (indoor)	2.86%	1.88%
Outdoor walking/running track	2.83%	2.47%
Rentable garden plots	2.51%	2.56%
Frisbee/disc golf	2.49%	4.41%
Outdoor fitness equipment	2.11%	1.59%
Mountain bike trails	2.01%	2.64%
Pickleball courts	1.48%	1.26%
Performing arts center	1.43%	0.91%
Recreation center	1.41%	1.32%
Lighted athletic fields/courts	1.33%	1.35%
Camping facilities	1.19%	1.35%
Outdoor soccer fields	1.18%	0.88%
Outdoor tennis courts	1.18%	1.29%
Outdoor sand volleyball courts	1.16%	1.23%
Outdoor basketball courts	1.09%	1.44%
Artificial-turf athletic fields	0.80%	0.94%
Skate park	0.73%	1.44%
Indoor tennis courts	0.44%	0.47%
Indoor basketball courts	0.38%	0.50%
Indoor soccer fields	0.24%	0.38%

Of the features/amenities you want to see in RedGate Park- which is your FIRST priority?

<u>Activity</u>	<u>Percentage of Resident Responses</u>	<u>Percentage of Non Resident Responses</u>
Natural habitats for wildlife and bird-watching	25.12%	28.60%
Trails for hiking and walking	23.92%	18.23%
Botanical gardens/arboretum	8.73%	6.52%
Amphitheater/entertainment venue	6.46%	3.34%
Paved trails	5.98%	4.52%
Biking Trails	4.78%	2.84%
Frisbee/ disc golf	3.35%	14.88%
Dog park	2.99%	3.01%
Playground	2.27%	2.01%
Mountain bike trails	1.91%	2.34%
Covered picnic shelters	1.79%	1.00%
Outdoor walking/ running track	1.79%	0.50%
Community event space (outdoor)	1.67%	1.34%
Pickleball courts	1.56%	2.84%
Self-guided nature tour	0.96%	1.00%
Rentable garden plots	0.96%	0.50%
Artificial-turf athletic fields	0.96%	1.67%
Outdoor fitness equipment	0.72%	0.17%
Outdoor soccer fields	0.72%	0.50%
Community event space (indoor)	0.48%	0.17%
Lighted athletic fields/courts	0.48%	0.33%
Outdoor tennis courts	0.48%	0.00%
Skate park	0.48%	1.00%
Recreation center	0.36%	0.33%
Indoor tennis courts	0.36%	0.00%
Performing arts center	0.24%	0.33%
Camping facilities	0.24%	0.67%
Outdoor basketball courts	0.12%	0.50%
Indoor soccer fields	0.12%	0.17%
Outdoor sand volleyball courts	0.00%	0.50%
Indoor basketball courts	0.00%	0.17%

Top Ten Priorities

The top ten priorities selected by *Rockville resident* survey respondents were:

- 1st Priority: Trails for hiking and walking
- 2nd Priority: Natural habitats for wildlife and bird-watching
- 3rd Priority: Botanical gardens/arboretum
- 4th Priority: Paved trails
- 5th Priority: Biking trails
- 6th Priority: Amphitheater/entertainment venue
- 7th Priority: Covered picnic shelters
- 8th Priority: Self-guided nature tour
- 9th Priority: Dog park
- 10th Priority: Playground

Other Activities

(listed in descending priority order):

- Community event space (outdoor)
- Frisbee/disc golf
- Outdoor walking/running track
- Mountain bike trails
- Rentable garden plots
- Community event space (indoor)
- Pickleball courts
- Artificial-turf athletic fields
- Outdoor fitness equipment
- Lighted athletic fields/courts
- Camping facilities
- Performing-arts center
- Outdoor soccer fields
- Recreation center
- Outdoor tennis courts
- Indoor tennis courts
- Outdoor basketball courts
- Skatepark
- Outdoor and volleyball courts
- Indoor basketball courts
- Indoor soccer fields

The top ten priorities selected by *non Rockville resident* survey respondents were:

- 1st Priority: Natural habitats for wildlife and bird-watching
- 2nd Priority: Trails for hiking and walking
- 3rd Priority: Botanical gardens/arboretum
- 4th Priority: Frisbee/disc golf
- 5th Priority: Biking trails
- 6th Priority: Paved trails
- 7th Priority: Self-guided nature tour
- 8th Priority: Amphitheater/entertainment venue
- 9th Priority: Covered picnic shelters
- 10th Priority: Dog park

Other Activities

(listed in descending priority order):

- Playground
- Community event space (outdoor)
- Mountain bike trails
- Pickleball courts
- Rentable garden plots
- Artificial-turf athletic fields
- Outdoor walking/running track
- Camping facilities
- Skatepark
- Lighted athletic fields/courts
- Outdoor basketball courts
- Recreation center
- Outdoor fitness equipment
- Performing-arts center
- Community event space (indoor)
- Outdoor tennis courts
- Outdoor sand volleyball courts
- Outdoor soccer fields
- Indoor basketball courts
- Indoor soccer fields
- Indoor tennis courts

Methodology: Each priority ranking was assigned a point value, 5 points given to the first priority, 4 points given to the second priority etc. Once all of the individual responses were tabulated, the activities were ranked by their total score. The activity with the highest score is the first priority, the one with the second highest score is the second priority etc.

Are there amenities not listed that you would like to see at RedGate Park?

Both residents and non residents identified similar amenities that were not listed in the questions focused on identifying the elements they prioritized in RedGate Park. A large majority of the survey respondents highlighted potential features that would enhance their overall ability to enjoy RedGate Park, independent of any other use in the park. By far, the largest request was for bathrooms. Additional trash cans, benches, the ability to purchase food on site, and parking were common requests from both residents and non residents. Additionally, both residents and non residents highlighted the need for RedGate Park to be a space that is welcoming for users of all ages and physical abilities.

The other responses can be grouped into the following categories:

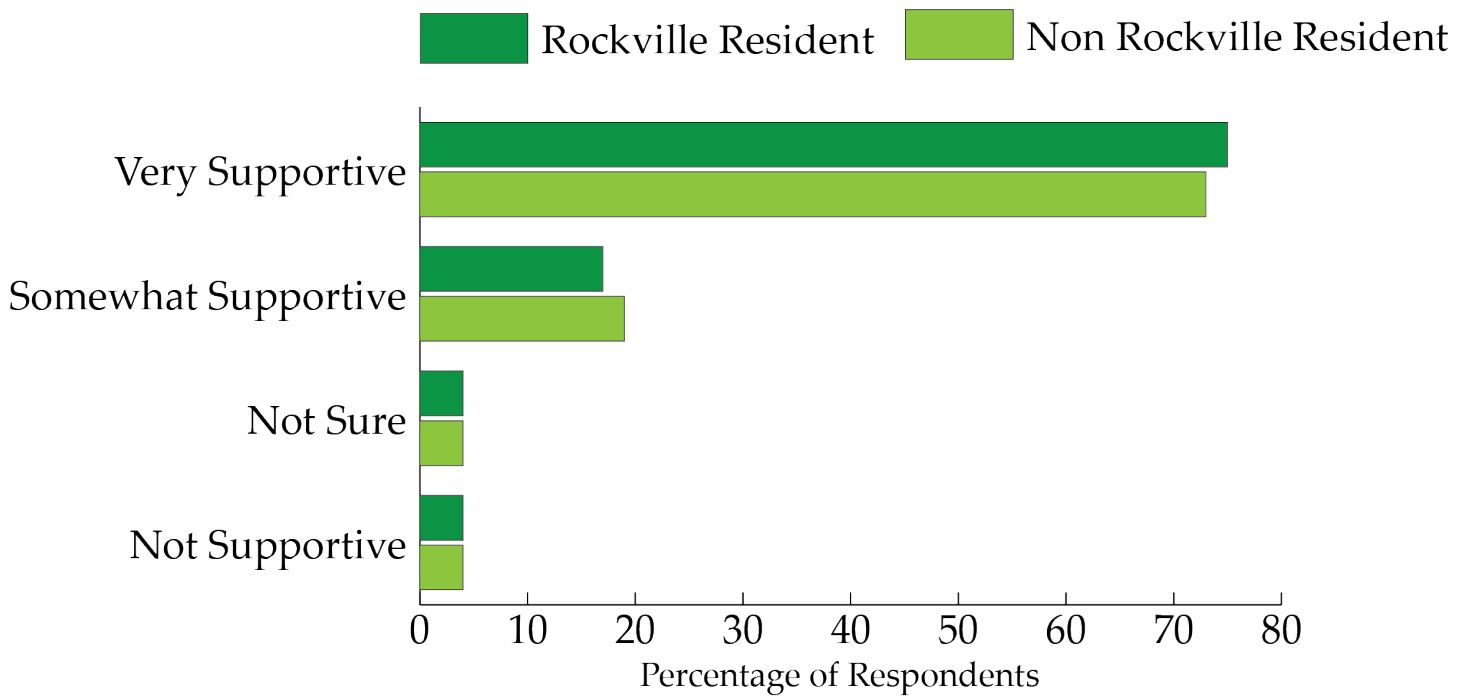
- *Aquatic Uses:* Residents in particular were excited about the various possibilities for aquatic sports, such as swimming, boating, and fishing. Both residents and non residents mentioned a desire for a pool and a splash pad for children.
- *Sports & Activities:* The amenities suggested by both residents and non residents reflected a desire to be able to use RedGate Park year round. Sledding, cross country skiing and ice skating were some of the winter activities suggested. Some form of golf, including mini golf, a driving range or putting green were mentioned by both groups, although slightly more by residents. Bike facilities were also popular among all respondents. Non residents were particularly interested in a pump track and skills park. Residents were particularly interested in there being non paved trails on site and both residents and non residents were in favor of connecting RedGate Park to other nearby recreational areas such as Rock Creek Park and the Hayes Forest Preserve.
- *Enhancing Nature:* While some respondents want RedGate Park to remain as it currently is, many suggested features to expand the wildlife and open space. For example, residents and non residents expressed interest in attracting butterflies, having nature activities geared for children, planting native species and trees and adding bird boxes. Respondents were also interested in educational signage about the natural habitat and the opportunity to star gaze and watch the sun rise and set.
- *Art:* The opportunity for public art and spaces for park visitors to create art and participate in art classes excited both residents and non residents. Residents in particular expressed support for sculpture to be installed at RedGate Park. Both a sculpture garden and/or sculptures placed along the paths was suggested.

- *Events:* Rockville residents were particularly interested in the possibility of events at RedGate Park. Live music, festivals, guided nature tours, outdoor movies and City sponsored events such as Hometown Holidays were all suggested. Some residents also suggested incorporating a space that could be rented for private events.
- *Other Ideas:* Residents and non residents alike wanted to ensure that no matter what facilities and amenities were placed at RedGate Park accessibility was included in the conversation. Residents in particular also wanted to ensure that pedestrian access to RedGate Park and within the park would be improved and that those without a car would be able to access RedGate Park from nearby public transportation.

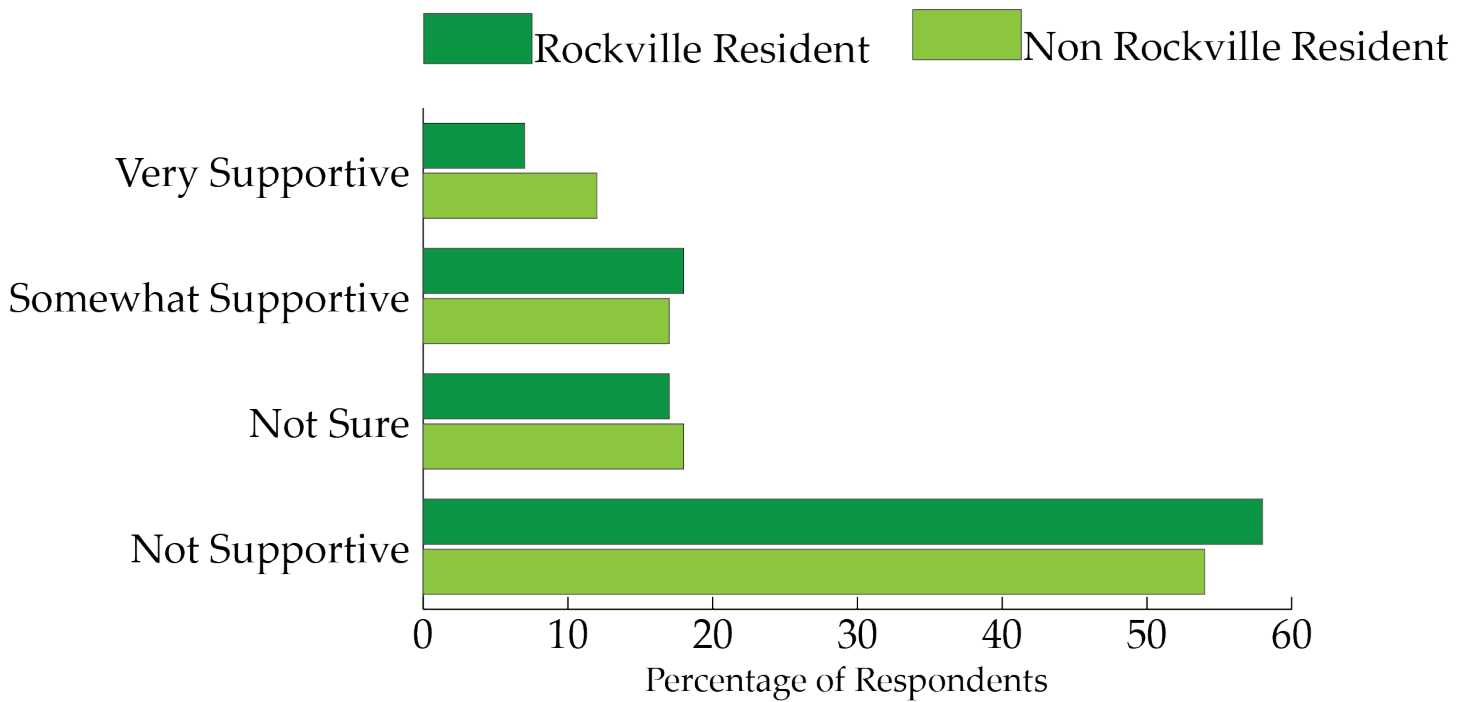


Please indicate how supportive you would be of the following statements:

Most of the site should remain passive open space (e.g., trails, open fields, wildlife habitat).

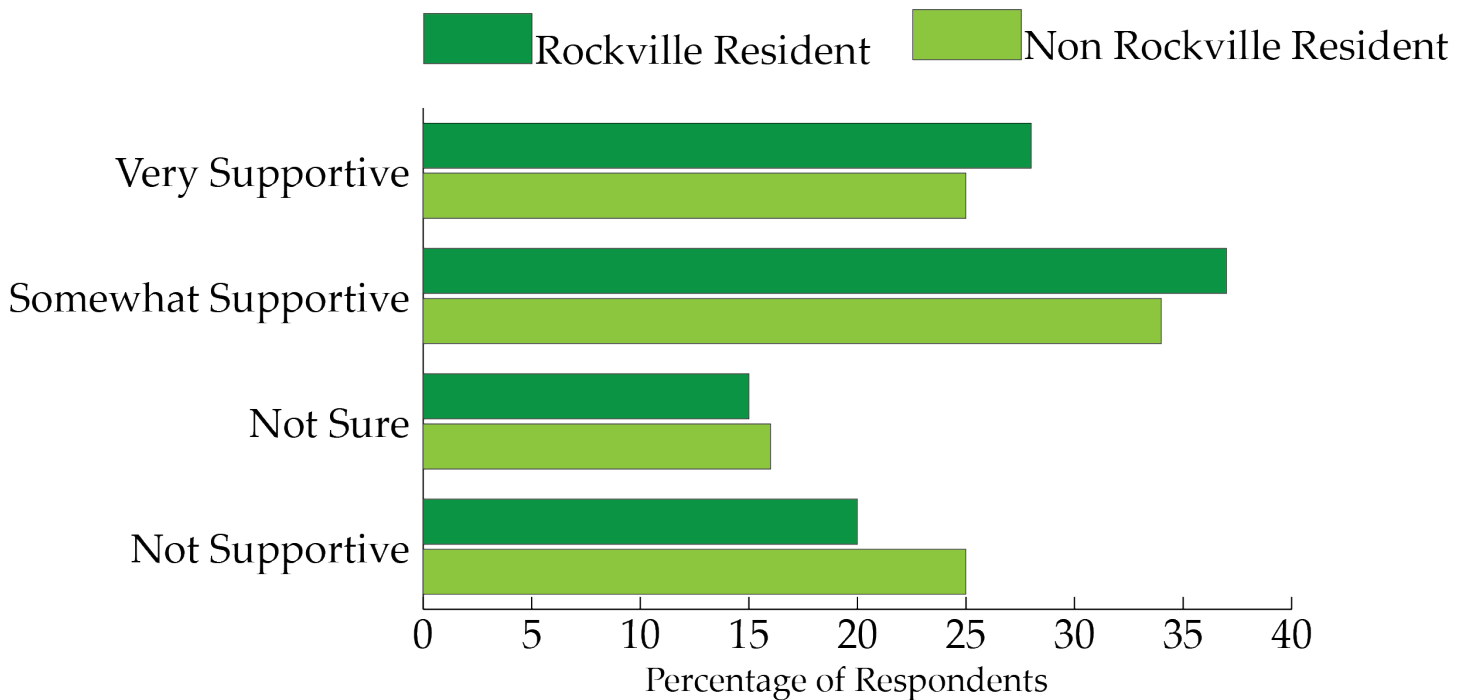


The site should be used for as much active recreation (e.g., athletic fields, playgrounds, courts) as possible.

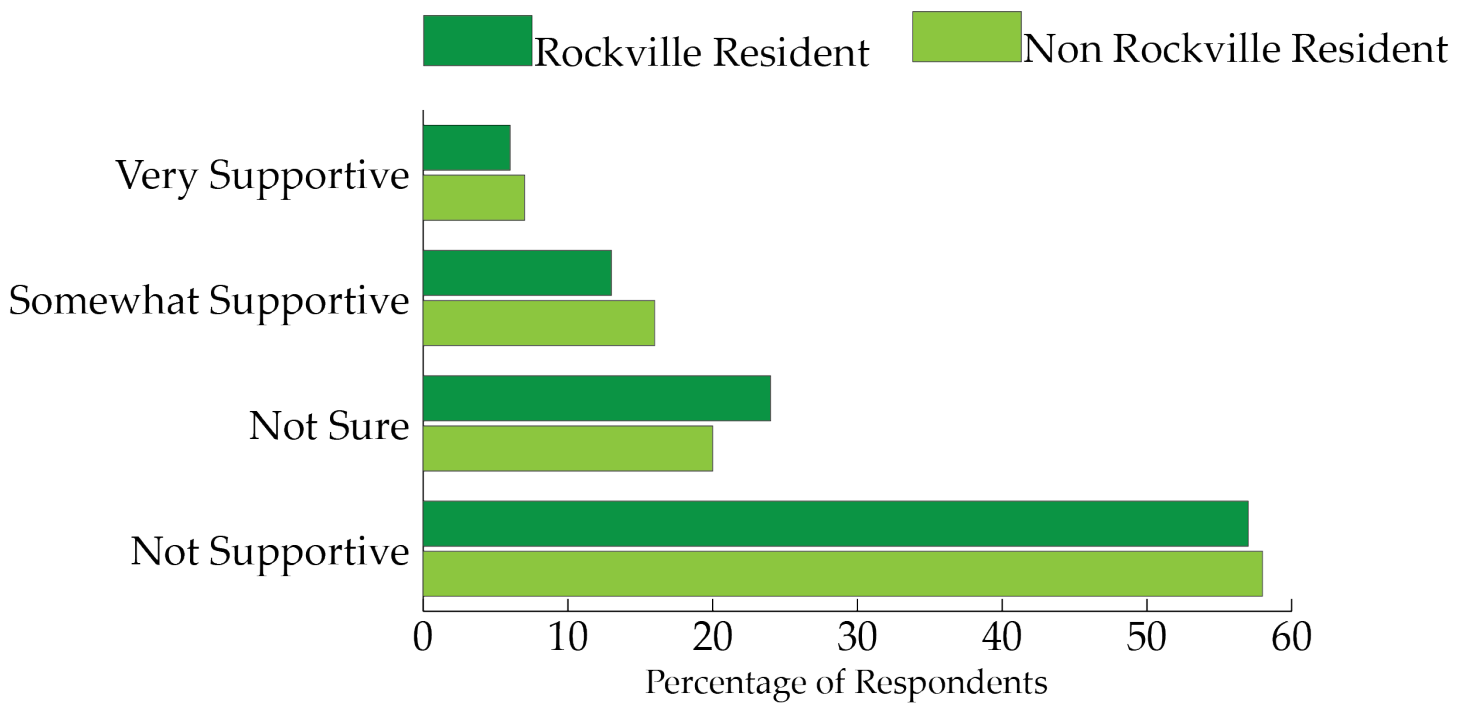


Please indicate how supportive you would be of the following statements:

The site should be balanced between passive and active spaces.

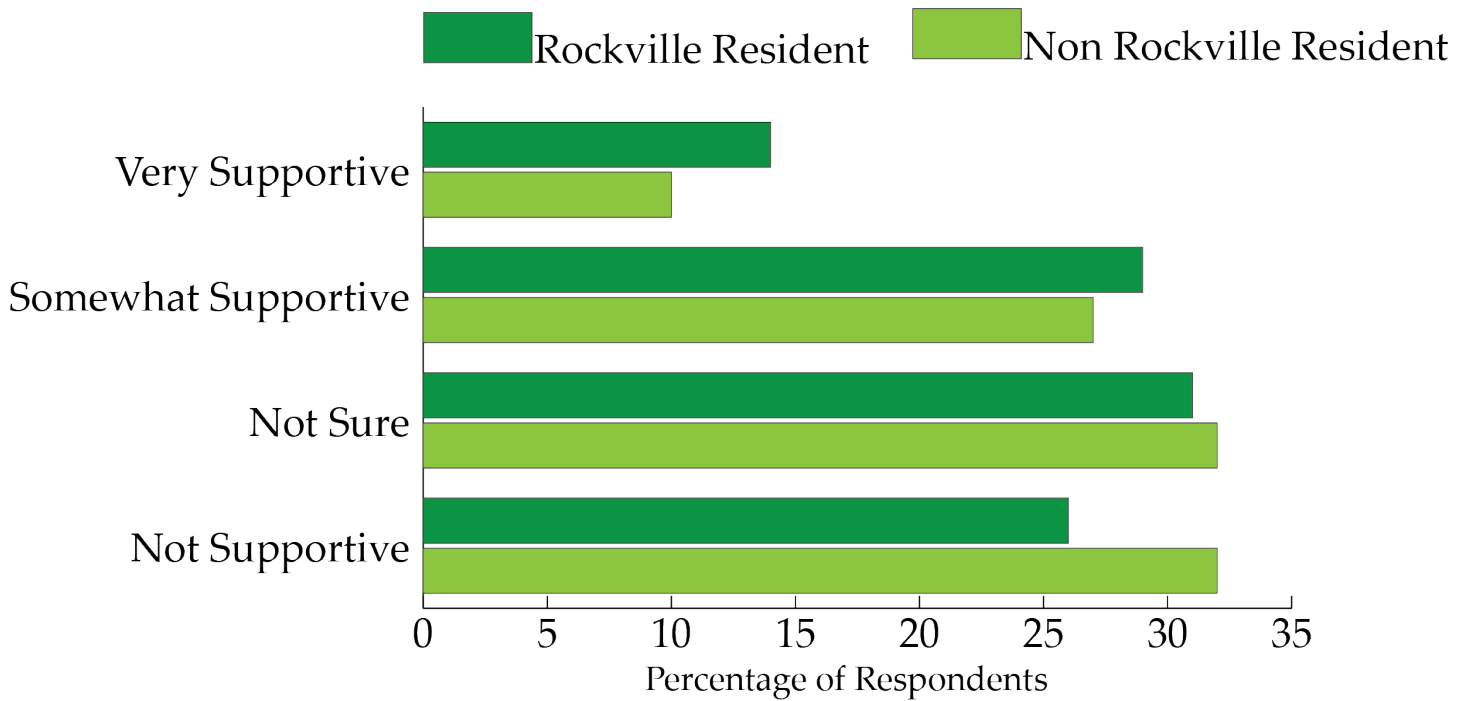


There should be a fee to use facilities at RedGate Park.

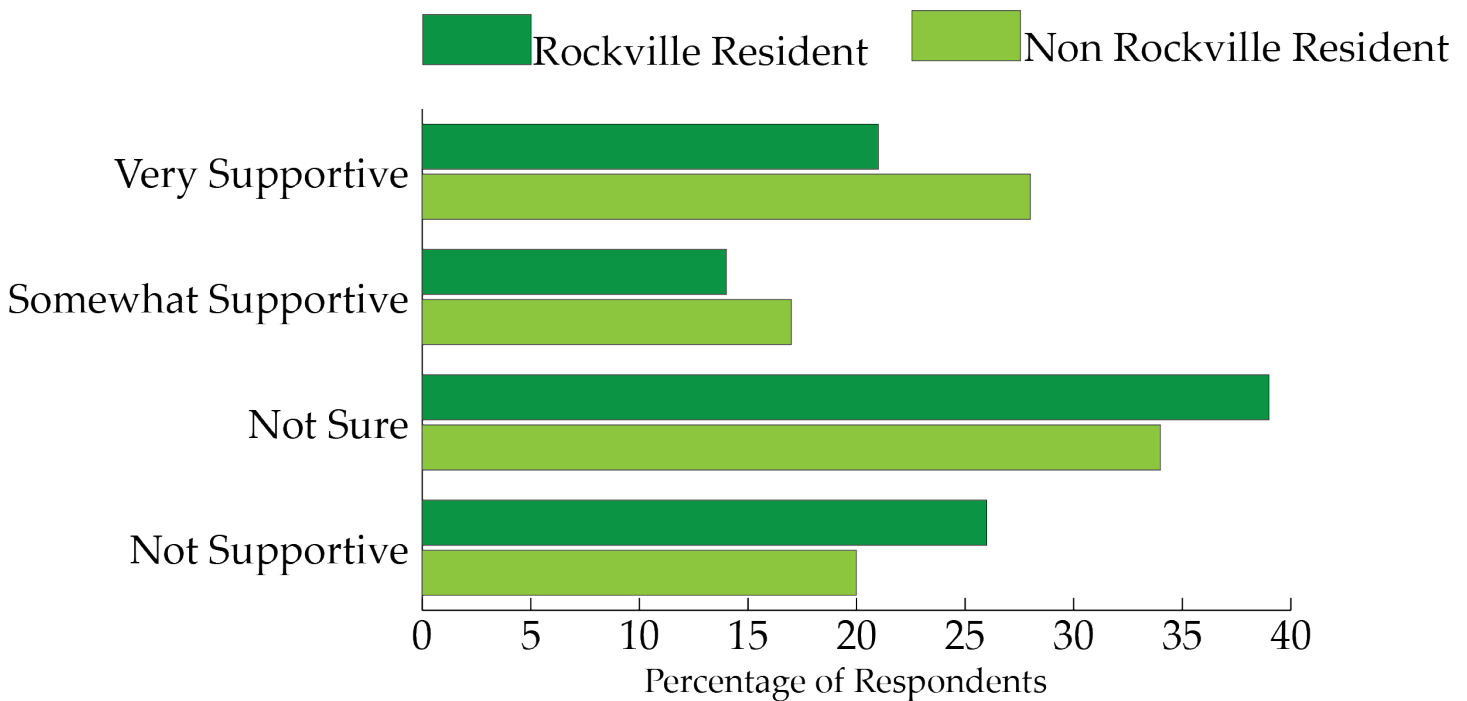


Please indicate how supportive you would be of the following statements:

I'm willing to pay more annually to support new facilities at RedGate Park.

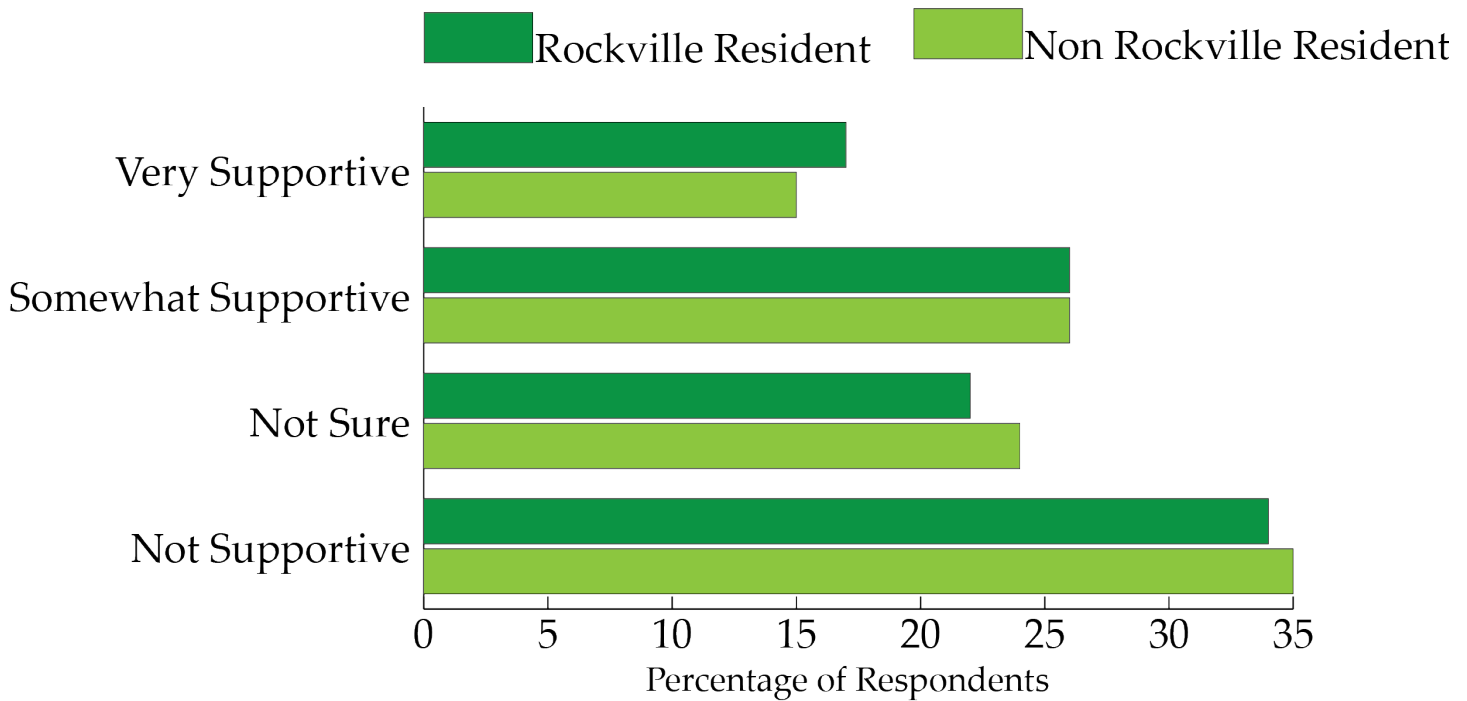


I don't think the general public should pay for new facilities at RedGate Park.

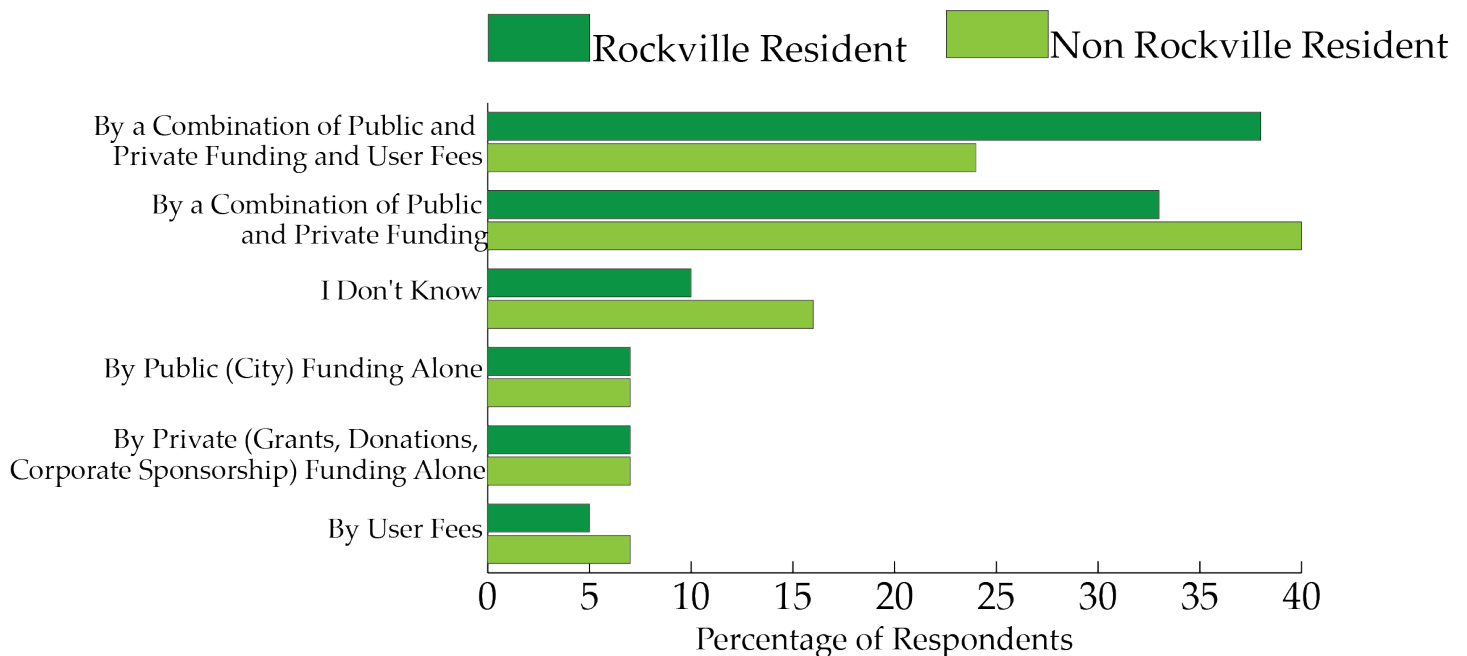


Please indicate how supportive you would be of the following statements:

Special events such as concerts, Hometown Holidays, July Fourth celebration, festivals, and/or fitness races should be relocated to the park.



If the city were to add outdoor and indoor recreational spaces, how should their construction, maintenance and programming be funded?



Key Takeaways

The impressive amount of feedback received displays not only the amount of interest in RedGate Park but also key insights into how the park is used today and how it can be used in the future. Common themes heard throughout the feedback are highlighted below.

RedGate Park Today:

- Residents and non residents are excited about RedGate Park, planning for the park's future and have similar views about how the park should be used.
- A large majority of park users think RedGate Park is in excellent or good condition.
- The park is well used and a lack of available time is what prevents most users from visiting the park more often.
- Walking, nature observation and bird watching are the most common activities park users partake in when visiting RedGate Park today.
- The vast acreage of RedGate Park provided a respite for many during the COVID-19 pandemic.

RedGate Park's Future:

- Natural habitats for wildlife and bird-watching are very important to today's park users who have strongly expressed their desire for preservation of the existing habitats.
- Respondents expressed a desire to ensure that the park offers amenities and activities for users of all ages and abilities.
- Opportunities to play sports, gather as a community, and enjoy nature are important features for future park users.
- Park users are extremely interested in the possibility of additional restrooms at the park.
- Places to display public art and enjoy natural elements, such as butterfly gardens, should be explored as part of RedGate Park's future.
- Residents and non residents are interested in participating in both passive and active recreation activities at RedGate Park.
- Respondents indicated that a creative funding solution that incorporates public and private funding as well as user fees should be considered to fund the construction, maintenance and programming at RedGate Park.



Reimagining RedGate Park

RedGate Park Today and Envisioning
the Future

IDEAS FORUM

Community Engagement Spring 2021



Ideas

Overview

Since 2018, when the golf course at RedGate closed, the 131-acre property has been embraced by the residents of Rockville as a park. With the unanimous support of the Mayor and Council, the City of Rockville has begun to develop a concept plan for one of the largest parks in Rockville.

The City of Rockville launched a website, EngageRockville.com, as a hub for the project, with the goal to collect as much feedback as possible. Building on the information gathered during the recently completed Recreation and Parks Department's Strategic Plan, additional community engagement and input is needed for RedGate Park's continued success as a destination park.

Ideas Forum

On EngageRockville.com, participants were able to post ideas about what amenities should be available at RedGate Park in the future. Once an idea was posted, other participants were able to indicate their feedback on the idea by voting and also had the opportunity to comment on the idea. All ideas posted while the survey was open (March 22, 2021- April 16, 2021) are included below.

The comments and feedback received through the ideas forum will be considered alongside the information gathered during the Recreation and Parks Department's Strategic Plan and the survey results.

All ideas are unedited and reflect how they were posted by respondents, except for minor edits to improve readability.



How do *you* imagine RedGate Park's future?

Outdoor Fitness & Sports

Hiking, Walking, Running & Jogging

Hiking trails, dog walking, gardens, outdoor amphitheater.

👍 14 👎 2

Cross Country Course: RedGate park offers a rare opportunity to build a world-class cross country course for recreational and competitive running that would blend with the wooded and prairie native areas.

👍 5 👎 0

Hiking Trails & Disc Golf: Going to echo a few people I've seen mention a disc golf course. Doesn't infringe on nature and is low maintenance! Also, some hiking trails

👍 4 👎 0

Hiking/ walking/ biking trails. Fountain/garden area. Picnic area. Playground

👍 2 👎 0

Please Make Rest Rooms and an Area for Joggers to Have an Exercise Break Area With Structures to Hang, Balance, Stretch on: A pond stocked with trout would be appreciated with a wide pier for kids to fish, with protected designated areas for them to stand or sit- so no one can be jostled off.

👍 9 👎 0

Paved walkways-not brick or highly textured which are difficult/dangerous, varying grades of inclines, benches and low walls for seating,

👍 0 👎 0

Comment Response: Consider adding bench seating near the ponds

👍 0 👎 0

Comment Response: Benches scattered around the park would be really nice.

👍 0 👎 0

Fitness

Outdoor Fitness Course: A series of outdoor fitness stations next to running/walking trails would be a great addition. Stations could have things like pull-up bars at multiple heights, monkey bars, a climbing wall (not too high for liability reasons), etc.. in a similar style to the old presidential fitness outdoor courses. A board at the start of the course could denote different levels like easy, medium, hard by color coding of obstacles. There could even be an online leaderboard (honor system) with best times for each class by age group.

👍 12 👎 0

Fitness Trail: Perhaps add a fitness trail? I used the old one on the Glenview mansion grounds. It could be four stations of three types of fitness tests.



Have various workout stations along the walking paths. Also, add interactive information stations about local wildlife found in the park.



Disc Golf

18-Hole Disc Golf Course: Lets get an 18-hole Disc Golf Course installed on either the East or West sides of the park. Great physical activity for all ages & family.



Comment Response: Yes! Love this idea.



Comment Response: Yea would be so awesome. Plus, you can still plant Redwoods and native plants and keep it about the nature.



Comment Response: Disc golf!



Comment Response: A disc golf course would be a great addition. It would be in areas where most people don't venture to so it wouldn't get in the way of other ideas. My husband has talked to a lot of people that go to the disc golf course in Seneca Park and there is a lot of interest in additional courses in this area.



Comment Response: I agree, disc golf course would be legit!!



Disc Golf Course: 18 hole disc golf course would be a great idea for partial use of the available land. Great activity for families.



I think a disc golf course would be immensely popular. Outdoor exercise for kids and adults alike. 18 holes would fit with the layout also.



Disc Golf Course: PLEASE consider installing an 18-hole Disc Golf Course at RedGate Park. It's a wonderful source of outdoors exercise for friends and family alike.



Would love to see a disc golf course in there!



I would love to see a disc golf space here.



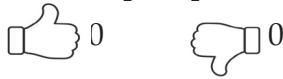
Disc Golf!



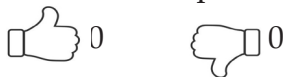
Disc Golf Course(s): Something like Seneca Creek Park



Comment Response: Disc golf courses are not expensive. Baskets are commonly donated by business sponsors and simple poles can be installed on the previous golf course layout while support is generated. Many times a club can manage improvement to teepads and grooming by volunteers. Golfers are happy to make small donations for playing a round to help upkeep.



Comment Response: Yes!



Comment Response: This is a great idea. A championship disc golf course can be installed in about 20-30 acres for about \$25K. Disk golf is inexpensive and plays much faster than ball golf. Moreover it is gentle on the environment as no water or fertilizer is needed. Best of all it is a ton of fun.



Comment Response: It would substantially cheaper than the new skate park under construction. And just look at how busy Seneca Creek DG Course is on a daily basis. Disc golfers are considerate of other park users and respect the natural environment. Me and my disc golfing nieces, nephews and friends would be proud to volunteer our time for course fundraising and construction.



Comment Response: I'm for this, but I'm not sure Seneca Creek's course, as awesome as it is, is the best model given the acreage and the desires of the local population. Red Gate could accommodate a compact course, something like Calvert in College Park, that could be a draw to the casual, and he said art of a multi use complex.



Comment Response: Yes please. The space can accommodate a nine hole beginner course, and at least 18 holes of championship-level play. Bring in John Biscoe for the design.



Comment Response: This is a great space for a course. I see a lot of people like the disc golf course idea as well.



I think the most cost effective/nature friendly solution is to, as many others have said, incorporate a disc golf course & map out trails.



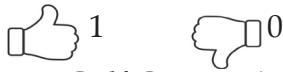
Comment Response: The last thing we need is another type of golf where we have things flying around while people are trying to chill with families.



PLEASE consider installing an 18-hole Disc Golf Course at RedGate Park. It's a wonderful source of outdoors exercise for friends and family



Disc Golf + Connecting Trail to Rock Creek Trail: Blaze a new trail on the north side that connects directly to the Rock Creek Trail



Disc Golf Course Would be Awesome!: Great outdoor activity for people of all ages



Golf

Mini golf to honor Redgate's past and provide recreational fun



9 Hole Executive Golf Course: maintain the history of the area and the course can compliment the new senior housing planned



Other Outdoor Fitness & Sports

Bike Riding & Activities: I think ou red gate Park should add more specific and detailed signs to make sure bike riders in our park can understand the right track to go. I am a bike rider in our local community right now, and I think the tracks are very convenient to go, just that there aren't enough signs to make sure people understand the routes.

Also, this is a great place for festival activities. The Rockville officials should hold more family friendly and some community gatherings and maybe when a festival or a holiday comes up we can celebrate together in the park, after the virus is over. Also, we can resume sports here, like we can reopen the golf or add a basketball field. 'Cause we don't have a basketball field right now.



Horseshoe pits. It's a great social activity for active older adults. Could even have leagues. There are no public ones in Montgomery County



Comment Response: This seems like something we should be able to get in an existing park, too!



Comment Response: Rockville already has a horseshoe pit at Karn Park.



Comment Response: This seems like a great idea at other parks where there is already a lot of parking. There may even be a way to design a minimalist horseshoe area at Redgate.



If Norbeck road is at your back put up a skateboard park in the right rear, paved biggest dip, picnic tables, and snack bar.



What About a Place for Pickleball That Would be Enough for Tournaments?: Pickleball is the fastest growing sport. Outdoor pickleball courts would not only help take the pressure off of Kingsfarm but could be established so that the city could host tournaments which would probably bring people from many places. They would need places to eat, to stay, and to shop while they're here. Turn Rockville into a pickleball central location!



Man-made Reservoir for Swimming: Boulder Colorado has a man-made reservoir for swimming, boating, fishing and wildlife with a "beach" for families. Maybe one of the water features could be expanded on the course for that purpose.



Turn some of the sandtraps into rock gardens. Add an outdoor archery range like in Rock Creek Park.



Nature

Nature Center

Nature Center: Nature Center staffed by local volunteer Master Naturalists for teaching community about flora, fauna and stewardship of green spaces.



Comment Response: Don't we already have a nature center? Some possible use of the existing building for elementary education on concepts of nature, the R's (reuse, recycling, etc.), and environmental training and understanding. The City currently leases the building to the MoCo police for training.



Nature Center: A sister nature center to the one behind the Glenview Mansion, but located to the schools and homes in a different area of Rockville.



Maintain the Existing Nature on Site

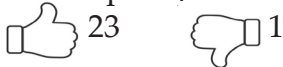
No New Infrastructure: Keep it wild restore native veg and pollinator gardens. Dirt trails that wind throughout and signage about restoration and wildlife.



Comment Response: Best idea. Keep it wild. There are many parks/conservation areas which have been created around this concept. We need our own here in the City.



Leave it Alone, Please: Small upgrades are fine. It's about nature. Please no bicycles or motorized stuff. Rock creek trail is just down the street. Bikes flying by you and your love ones is not fun! We need a quiet place to go. Thanks for listening.



Comment Response: Disc golf course



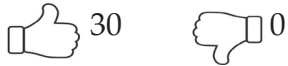
Keep RedGate Wild!: There are over 150 different types of birds as well as nocturnal flying squirrels (really!). Keep RedGate Park a quiet, wildlife oriented park for walking, bird-watching, and enjoying being outdoors.



Comment Response: I think the current Human and other four footed and feathered wildlife users really like the idea of "Keep RedGate Wild". Wayne maybe onto something similar to "Keep Austin Weird". LoL



Let Ecology Happen: Plant diverse NATIVE plants that attract insects to feed amphibians and birds. Let the building become a club house for nature lovers.



Comment Response: Yes the previous buildings could be repurposed! That would be awesome.



Comment Response: Great idea.



Comment Response: A history of golf course would be nice or some kind of remembrance. Imagined it in existing building. Folks could contribute photos & stories, maps



Keep it as is: Add a restroom, but otherwise let it be about nature. It's a beautiful place. And this plan won't cost as much money.



Comment Response: PLEASE keep it as is

Add a restroom, but otherwise let it be about nature. It's a beautiful place. And this plan won't cost as much money.



No Construction to: Minimal or no construction that would detract from the natural wildlife habitat. My first priority is for this park to remain a wildlife and bird habitat that all can enjoy, not a place to draw large crowds and be disruptive to that habitat. Walking trails are ideal. A par course or frisbee would be good. Tennis or basketball would be bad. Don't pave the habitat. And astroturf...are you kidding? Rentable gardens would be great but the animals are very likely to eat the plantings. Small gatherings like club meetings wouldn't require larger parking facilities.



Comment Response: Any construction would adversely affect the inhabitants who currently live there and find it a great haven away from us Humans.

City already leases the building out. Not sure who has access to use it, as we have heard nothing from R&P as to its availability.



Respect the Wildlife!: Big dog park, paved paths for strollers/ handicap, keep the beauty, and a space observatory! Don't destroy natural habitat/wildlife's homes!



Comment Response: Botanical gardens and public bathrooms too. Maybe a small space for local brewery with outdoor space



Keep RedGate a Quiet, Serene, Natural Place Like it is Now!: Please leave it the way it is now (but do add restrooms)!



Comment Response: RedGate has restrooms. They have been closed to the public by R&P as it was stated that the park is not being maintained as are the other City parks.



Keep it how it is: Keeping the park how it is allows people to not only enjoy the walking paths and scenery, but it allows animal species to remain undisturbed. Leaving the park how it is also doesn't cost a dime.



Comment Response: Could not agree more!! There are so many people currently using it in its current state. It is much more environmentally friendly and one of the few remaining green spaces for people and natural areas for wildlife amongst a growing city.



Comment Response: I strongly agree with Spencer.



Comment Response: I agree just add bathrooms and it's perfect. No need to mess with this beautiful place. There are athletic fields and other facilities elsewhere



Comment Response: I agree that at least the large majority of it as-is would be nice. It's a great space that people use for picnics, walks/runs/hikes, bird and animal watching, etc. The fact that some fairways are still cut provides nice large lawn space. Other wild fairways are providing great wild space for animals, which are always pleasure to see. The county is facing plenty of economic challenges. Hopefully maintaining the property as-is for a while would make sense financially.



Red Gate is a wonderful nature area for hiking, picnic, dog walking (enforce pick-up-waste), not big enough for biking, sports event.



Enhance the Existing Nature on Site

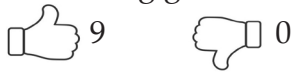
Paved walking paths, gardens of native plants, maintain natural old tree growth for birding



Comment Response: New tree growth too! :)



butterfly garden; bird rehab ctr to treat & release, or keep there if can't fly. MOST of all NO LIGHTS or levelling ground. keep wilderness: natural and wild, attract owls again. birdwatching the best.



Please keep Red Gate as natural as possible; plant more flowers, build swings for children. Fitness stations? Animals & birds shelter here.



Comment Response: Great idea. Keep it quiet and peaceful where children and adults can commune with the segments of nature we don't have in our neighborhoods, due to the way we have constructed and still maintain them.



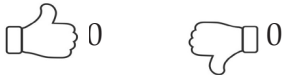
Pollinator friendly wildflower gardens; planted with Monarch butterflies in mind. Habitat for animals; no huge parking lots/lights.



Comment Response: Love this!



Comment Response: Keeping the land as our last remaining natural environment for current and future use by plants, animals and Humans is the best idea. Any additional construction, or addition of utility infrastructure would create such natural upheaval as to scare off the animals that now find Red Gate Park a safe home amongst the chaos that surrounds it on two sides.



Make Simple Upgrades. Don't Urbanize: Plant more trees to block unsightly commercial area behind park. Repave existing trails. Add user fees to prevent overuse. Add restrooms.



Reforestation- Native and Dawn Redwood Forest: Redwood trees used to thrive all across North America but are now only found in Oregon and California. Fast-growing trees are shown to be an effective tool against climate change. Plus, they're super cool and fun to watch as they grow upwards of 200 feet.

Dawn Redwoods thrive in our growing zone. They are the smallest of the Redwood trees but grow quickly, especially near water. Everyone wants to do something about climate change and this is a good opportunity to do so. I would propose that one of the former golf holes be turned into a Dawn Redwood forest.

Additionally, there is plenty of room to reforest several holes with native species (Beech, Maple, Oak).



Add to the Existing Nature on Site

Encourage Volunteerism: Engage the community in the restoration of the park creating meaningful place-based experiences and hands-on STEM learning.



Think big! A world class sculpture to be Rockville City's icon. Four seasons flowers. Cherry for Spring; Lotus, water lily for Summer...



Community Gathering & Activities

Events

Stargazing Area-Night Access & No Lights!: A lot of parks are closed after sunset. It would be nice if there were an open sky area accessible to stargazers, and that the whole park be kept without any lights on at night both for the wildlife and this purpose.



Comment Response: I like this idea. Moreover, there could be periodic "star parties" -- advertised viewing nights where amateur astronomers could bring and set up their telescopes and people could come see fascinating things in the sky.



Comment Response: Adding to my earlier comment I'm not sure how practical it would be to have the park open every night for safety reasons but having several viewing nights (with backups for when it's cloudy) each year would be fun and educational. As far as park lighting, it's important that whatever lighting is installed uses warm (K2700) bulbs and shielded lights to reduce light pollution and make the park suitable for star gazing nights. Note that it doesn't get dark until late in the summer. Although chillier to attend, star nights in the late fall winter, and early spring can be earlier and the sky is often clearer.



Comment Response: RedGate is about as close as we can get to a light free environment without traveling to a larger expanse of undeveloped land. With the number of stargazers in the area, building an exterior tower above the treeline would be great for those rare viewing nights where folks could bring their telescopes. The Gaithersburg observatory nights are the other local viewing area, but it is surrounded by lighting and is limited to viewing from the ground.



A small event area for festivals, etc. with an area for food trucks to park would be a lot of fun, too.



Comment Response: No, no, no. It's about birds, wildlife. No festivals please. No trucks.



Outdoor Movie Amphitheater: An outdoor amphitheater can be used for summer movie series, festivals, and seamlessly integrated into a wooded backdrop. This outdoor amphitheater in Pipestem State Resort in West Virginia is built at the bottom of a hill, features comfortable seating but also plenty of lawn space for overflow, and shares the approaches for the first and ninth holes of the 18 hole disc golf course at the very top of the hill.



Comment Response: There is already a great hill on the backside of the Mansion. And expanded new parking area already exists. Mayor has mentioned support for this.



Use it for Hometown Holidays, outdoor Summer concerts, & Fireworks. Set up the building for use for various classes, yoga, music, etc.



Comment Response: Using the park for noisy events would likely chase all the wildlife away!



Comment Response: I agree no noisy crowded events that could damage the nature found in the park



Comment Response: I agree with comments about noisy being disruptive to the resident wildlife. We want to keep them and attract them, not chase them away.



Comment Response: Fireworks...seriously? We have a great fireworks display at the King Farm park. The Mansion surrounds is a great event location.



Think Wolf Trap, Merriweather Post: An outdoor music/performing arts facility. Where music festivals, food truck Fridays, town celebrations happen.



Comment Response: No, no, no!



Comment Response: There is a great grass hill, ample parking, and utility infrastructure at the Mansion property for the addition of an outdoor performing arts facility. With the City reducing the ability to use Town Center for annual events of the past, this may be a great alternative. And the Mayor spoke in favor of this idea.



Mega Farmer's Market-Saturday/ Community Yard Sale-Sunday: Weekly huge farmer's market on Saturdays. This will support local area farms and vendors. Then on Sunday's have a giant yard sale. Charge a small rental fee to vendors to cover set ups and table rentals. Include food trucks.



Outdoor Performance Area: Large enough to accommodate Shakespeare in the Park, similar performances and other community events. Covered stage. There is sufficient space in the park for this and many of the other ideas for seasonal sports, families, dogs, and people who want a quiet nature preserve.



Golf Cart Friday Nights: Not sure what you did with the old carts but I always think it would be cool if you could rent a golf cart at Red Gate and drive the family around the course for some fun. My little girls would love it. Could charge \$10 for an hour and families could have some fun driving around. But, it would be nice to limit it to certain times so that the natural beauty of the park could still be featured.



Comment Response: ROFL Glad we don't have to drive our own carts from home down Norbeck to get there. Problem currently is that the asphalt has lots of raised bumps from tree roots. But if we get the asphalt removed and replaced with small river gravel or mulch (there are tons of that stuff), it would help return the surfaces to a more natural state which can be easily graded as needed.



Places to Eat

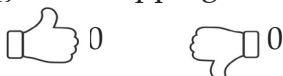
Food and Drink Space: Integrated into the amphitheater and possibly playground space, partner with local breweries and restaurants to have food trucks and outdoor bars. The Brookeville Beer Farm is a great example of keeping the look natural and flexible to partner with local restaurants, bring in musicians, and more.



Garden Cafe with Water View: Garden area with a pond and water feature, with outdoor seating and a cafe, and food trucks. Also areas for outdoor classes, such as Tai Chi and yoga in a lovely flower garden. Think Rockville's own Central Park or the Piazzas in Rome. Thanks for asking for our ideas. Rockville Rocks!



Comment Response: Benches or cafe tables and chairs around the existing water areas would make a nice area for people to sit and eat, without drawing raucous crowds. Perhaps even without adding a large paved area. Although there are a lot of duck and goose droppings around there.



Other Community Gathering & Activities

Model Railroad Club: The Rockville model railroad society would like a space in the existing building to build a mode railroad. Access would be required in the evening.



Multi-Use But Not Overbuilt: I like the idea of an arts center/amphitheater. The rolling terrain makes this very possible without much overbuilding if we use the ecology to advantage. If there is a multipurpose flat space, there can be farmers markets, craft shows and winter park/ice rink. These could bring modest revenue to help maintain upkeep. (The pic is Levitt Pavilion in Denver, and uses the terrain rather than concrete)



Comment Response: Not in favor of any building or attraction other than nature



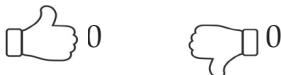
Spaces for Kids

Water Play

Splash Park/ Sprayground: Create a sculptural sprayground or splash park that integrates into the natural surrounding areas and has functionality in the winter as a scrambling recreational area. Nothing with garish colors or plastic parts, but more natural-looking rock features, boulders, and playful takes on the words RedGate. The Chelsea Waterside in Hudson River Park or Bicentennial Park in Southlake, TX (image) are two neat examples.



Comment Response: Seconded, this would be wonderful!



Comment Response: I love this idea!



Comment Response: Susan of East Rockville has convinced Council to already allocate funds in the 2021 budget for the design and implementation of a Splash Park in East Rockville.



Play Spaces

There should be a kids playground, maybe working hot snack bar for kids and adults on the weekend.



One area with a playground for kids at different stages, another for BBQ, a few areas covered for shade or under trees nicely landscaped.



Comment Response: I think that's an idea Councilmember Pierzchala has and has been pushing for at the King Farm Barn, along with developed use for the indoor space as a local market.



Outdoor Kids “Ninja” Course: While the liability issues with adult-sized ninja-warrior type courses are obvious, there are now many varieties of equipment suitable for kids to get the ninja warrior experience without putting anyone at undue risk. A ninja-warrior style course for kids would be an effective draw for area families, a great way for kids to get exercise and engage in friendly competition, and a fun way to burn energy and stay fit.



Connections to Other Park Spaces

Connections to Rock Creek Park

Connect to the rock creek trail and also having running marks within. Winter: tubing



Comment Response: Not sure about parking for tubing, but love the idea of connecting to rock creek trail.



Comment Response: I love the tubing idea. You could probably put in a rope tow cheaply and easily. The only problem is that Mama nature might not cooperate.



Comment Response: I love the idea if it doesn't draw mobs that need more parking area



Keep it Wild, Link to Rock Creek Park: Restore with native species, leave as a wildlife habitat for hiking/jogging/biking.



Other

Development

Affordable Housing, Perhaps Mixed-Use Tiny-Home Village?: We could take this opportunity to reduce homelessness in our community, in a unique and sustainable way. <https://www.shareable.net/how-to-create-a-tiny-house-village/>



Comment Response: Please, no building @ Redgate. Cool idea for affordable housing & community creation for homeless ELSEWHERE.



Comment Response: No construction in the park, please. This is a great idea for other areas!



Comment Response: There is plenty of room for a tiny home project in the Upper Rock redevelopment area. But it would need City or organizational assistance for funding. No builder/developer will do it when they can currently build \$1M properties on a parcel.



Revenue Generating Special Events Space: To generate revenue, create a unique special events space that can pull in money from weddings, Bar Mitzvahs, and more. Make the price competitive with the market during the peak seasons, but offer sharp discounts for off season so it's still accessible to local families with a range of incomes. Or create a way for volunteers to earn discount dollars to reserve the space for things like birthday parties and baby showers. Get a liquor license or partner with a local Rockville brewery and this will be a *very* competitive spot for event rentals.



Comment Response: Does not feel in the spirit of a wild, park like place to me. Attracting crowds for profit? Better to restore golf course.



Huge Park- Opportunities for Equity: There's enough space here to add affordable housing and still many of the amenities discussed. Many MNCPPC parks in our two counties have housing of some type. If we can't add housing, then arboretum like Brookside Gardens with natural play area!



Comment Response: 81, There are many parcels of land sitting idle in the City that could be redeveloped for affordable housing. We just need a Council who is willing to make hard choices to implement affordable housing instead of offering up the land to outside development entities for huge corporate profits. There are zombie properties all over the City sitting vacant waiting for the next development opportunity that comes from rezoning.



Dog Park

Natural Dog Park Area: We'd love to see a portion dedicated to off-leash dog play that has forest/ meadow/ water elements.



Dog Park but More Than Just a Fence!!: I would love to see a dog park that is more than just a fence. Something with access to water and a trail or pathway for me to walk my dog in. Something like Shirlington Dog Park!! Where the ground isn't cleared and there is natural shade.



Comment Response: This is a must!



Comment Response: Coming from 35 years in Arlington, loving it that you used Shirlington as a great example (next to a beer garden and animal day care facility). But Town Center needs a dog park first, and with the vacant lot that is just sitting as asphalt, it could be converted to a small one for the many residents that live there with dogs.



Miscellaneous

Tongva Park in Santa Monica is Really Nice: <http://tongvapark.smgov.net/>



environmental education space, dedicated tubing/sliding hill, mini-golf performance space ,city festival space, specifically for fireworks



Comment Response: I'm in favor of the environmental education, and tubing doesn't seem disruptive. In fact, I think people would naturally migrate there for sledding/tubing when it snows.



Pedestrian.Access.Plan.: Whatever use wins is going to end up being mostly about driving and parking unless there's a pedestrian/bike access plan that doesn't involve a miserable slog right up against busy, dangerous roads. Rockville already has more than enough planned-for-cars-only natural areas and for-fee recreation options that you can't jump in and start using until you've circled the perimeter in a car and driven down a long road to a centralized parking area. Walkers and bikers are exhausted and ready to head home before they even reach the planned Start-Your-Experience-Here area in the middle of the property.



Water Park and Activity Center: With amphitheater and covered area playground. <https://images.app.goo.gl/ufjwaBrU1WmVSpQe8>



Comment Response: That's a lot of concrete, construction and disruption to the wildlife habitat.



Comment Response: Susan, former chair of East Rockville Civic Association convinced the Council to set aside funding in the 2021 budget for a water park and activity center in East Rockville. It's already in the plans. No need for one at RedGate where everyone must drive to use it.





Mayor & Council Meeting Date: October 18, 2021
Agenda Item Type: Review and Comment
Department: City Manager's Office
Responsible Staff: Linda Moran

Subject

Action Report

Recommendation

Staff recommends that the Mayor and Council review and comment on the Action Report.

Attachments

Attachment 14.A.a: Action Report (PDF)

Linda Moran

Linda Moran, Assistant to the City Manager 10/13/2021

Blue - new items to the list.

Red - latest changes.

Green – items proposed to be closed and removed.

Mayor and Council Action Report

Future Agenda Items to Schedule	
Topic:	Notes:
Discussion of American Rescue Plan Act Funds	The Mayor and Council asked for a discussion with staff regarding the American Rescue Plan and the possibility of hiring a contractor to ensure that the funds are expended in accordance with future Treasury rules. A presentation and discussion on ARPA funds occurred on October 4, 2021. A public hearing on ARPA funds is scheduled for October 25, 2021. Discussion and Instruction on ARPA funds is scheduled for November 8, 2021. Additionally, a worksession on ARPA funds is scheduled for December 13, 2021.
Public Hearing on Accessory Structures	The Mayor and Council requested that a public hearing be held after the additional community virtual public meetings are completed. The Public Hearing regarding proposed zoning text amendments for Accessory Buildings/Structures were held at the May 10, 2021 Mayor and Council meeting. Discussion and Instructions to staff for the Accessory Buildings/Structures Text Amendment is scheduled for the December 6, 2021 meeting.
Board of Supervisors of Elections Increase from Five to Seven Members	Mayor and Council requested a discussion of increasing the membership of the Board of Supervisors of Elections from five to seven.
False Police Reports	Mayor and Council requested a discussion of false Police reports. False reporting has long been codified in Maryland Criminal Code (Criminal Law, Title 9).
Local Preference Procurement Approach	Mayor and Council requested a discussion of a local preference procurement approach.
Retirement Incentive/Employee Buyout Program	Staff will provide information about employee buyout programs and discuss the potential for a Rockville program.
Discussion and Instruction on Small Cell Antennas	Mayor and Council requested a discussion and instruction agenda item on small cell antennas.
Historic Resources Management Plan Presentation and Discussion	Mayor and Council requested presentation and discussion of Historic Resources Management Plan. Historic Resources Management Plan: 10-Year Action Plan was discussed at the February 8, 2021 meeting. The Mayor and Council provided feedback and staff will return when the plan is updated. Staff will return with the updated plan and has scheduled a Presentation and Discussion for December 20, 2021.

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2014-23	9/8/11	R&P	Future Agenda	<p>King Farm Farmstead</p> <p>Status: On April 20, 2020, the Mayor and Council discussed the responses to the request for information (RFI) on potential future uses of the Farmstead. Security system installation for the Dairy Barns and house is complete and staff is securing a cost estimate to bring water to the property as the first step in designing/constructing a fire suppression system during FY21 and FY22.</p> <p>King Farm Farmstead Fire Suppression - Design for water infrastructure – The WSSC HPA (step one in the approval process for water infrastructure) has been approved and City staff and the consultant are responding to the first review comments regarding the design of the water infrastructure. Staff plan to apply for HDC consideration at the October meeting. Design of fire suppression concept is complete.</p> <p>Real Estate Market Analysis RFP - Mayor and Council provided feedback on RFP on May 14, 2021. Award pending contract execution with notice to proceed in October.</p> <p>Parking Lot – Included in the Annexation Agreement with EYA (developer of the King Buick property) is the design and construction of a 47-space surface parking lot on the King Farm Farmstead property.</p>	Ongoing
2015-14	7/13/15	CMO	Future Agenda	<p>Purchasing Study Response</p> <p>Status: An update on the Procurement Action Plan was shared on August 3, 2020. An MFD and Procurement Action Plan Update was provided on September 27, 2021. The next update is scheduled for late spring/summer 2022.</p>	Late spring/summer 2022
2016-12	9/26/16	HR	Email	<p>Provide a Vacancy Report to the Mayor and Council on a monthly basis.</p> <p>Status: The Mayor and Council directed that this shift to an every other month written report provided by email. The other months will include a report on the Mayor and Council agenda. A vacancy report/hiring freeze update was provided on agenda at the January 11, 2021 Mayor and Council meeting. The January report was provided by email in February. The February update was provided on agenda at the March 22, 2021 meeting. The March update was provided via email on April 26, 2021. The April report was provided on agenda on May 10, 2021. The May was provided via email in June of 2021. The June 2021 report was sent in via email in July. July and August updates were provided in a report on agenda at the</p>	Monthly

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				September 27, 2021 meeting. The September report will be sent via email in October. The October report will be provided on agenda at the November 22, 2021 meeting.	
2016-16	10/10/16	DPW	Future Agenda	<p>Global Issues on BRT Schedule another discussion on BRT with the City of Gaithersburg and Montgomery County, to include broader issues such as governance and finance. Consider holding the meeting in Gaithersburg.</p> <p>Status: County staff presented an update on the Veirs Mill Rd/MD 586 project to the Mayor and Council on November 2, 2020. County transportation is determining a recommended alternative for design of the MD 355 route. Montgomery County is scheduled to make a Presentation on MD 355 BRT on November 22, 2021.</p>	Ongoing
2016-18	10/24/16	PDS	Email	<p>FAST – Faster, Smarter, More Transparent (Site Plan/Development Review Improvements) Provide regular updates on the status of the work.</p> <p>Status: A FAST update was provided to the Mayor and Council on November 18, 2019 followed by email updates in October 2020 and March 2021 as an alternative to a Mayor and Council Agenda Item.</p> <p>Phase 1 FAST Zoning Updates - Staff has drafted the proposed changes and presented to the Planning Commission on May 26, who recommended in favor of the amendments. The Mayor and Council held a public hearing on June 21, D&I on July 12, and further discussion on September 13 on the modifications, which include:</p> <ul style="list-style-type: none"> • Allowing concurrent reviews of development applications during annexation. • Allowing for the abandonment of previous development approvals and providing a process for an alternate development proposal on a site. • Establishing a streamlined approval process for non-residential redevelopment within the city's commercial corridors and for minor site improvements in general. • Defining additional improvements that may be classified as minor site plan amendments • Provision of a new research and development use and associated regulations, to be established in certain non-residential zones. • Clarifying street connection requirements in the mixed-use guidelines. 	October 18, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				<ul style="list-style-type: none"> • Modifying the definition of a demolition to include the removal of more than 50% of a building's floor area or substantial reconstruction. <p>Staff prepared additional information as requested by Mayor and Council, and the item was presented to the governing body on October 4. On October 18, 2021 staff will bring the ordinance, including the changes that were approved on October 4, to the Mayor and Council for adoption.</p> <p><u>My GovernmentOnline (MGO) Implementation</u> - MGO is a comprehensive system for case management, web-based submittals, payments, digital plan review, and inspections. The first phase will launch in the fall and will include all permits related to building, fire protection, and trades as well as associated trade licenses. PDS staff has worked with MGO and IT staff to collaborate on developing workflows for the system and improving processes at the same time. The system for online payments has been set up and is being tested with Finance. Next steps include establishing and publicizing a date to go live with the system and announcing it to the public. Future phases later this year will include development projects (site plans, plats, variances, etc.), additional licenses, public works permits, and more.</p>	
2017-6	2/27/17	CMO	Email	<p>Minority-, Female- & Disabled-Owned Businesses Provide updates on the Procurement Division's activities to engage and support minority-, female- and disabled-owned businesses.</p> <p>Status: The MFD Report for FY19 and FY20 was shared with the Mayor and Council by email on May 1, 2020. A Mayor and Council Agenda Item on October 19, 2020 provided a forward-looking discussion of the City's MFD outreach program, including program metrics, program successes, potential program adjustments. MFD and Procurement Action Plan Updates were provided on for September 27, 2021. The next update is scheduled for late summer/early fall 2022.</p>	Late Summer/Early Fall 2022
2018-1	1/22/18	Finance	Action Report	<p>Utility Billing System Provide updates on the replacement of the Velocity Payment System, powered by Govolution.</p> <p>Status:</p>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				The new payment portal went live on January 11, 2021. All customers have been sent mail informing them of the new account numbers so they can use the new vendor Invoice Cloud. The new payment portal opened the week of January 25, 2020. Staff recommends this item be closed. Mayor and Council please provide staff with direction. The implementation of the Impresa system and Invoice Cloud (online portal) was successful. While there were some back-end issues, none impacted services to customers. For the customers billed thus far, a third have paid their water bill through one of the Invoice Cloud's services. Once the system has been fully acclimated, a reduction in cost should be seen FY22. We are currently looking at options on incentives for customers to sign-up for paperless billing and also adding a round up feature to one of the programs when paying a utility bill. Currently, the Invoice Cloud dashboard allows customers to pay a water bill or donate to one of our City programs – they can do both using the shopping cart feature. It will take approximately two full billing cycles (Jan – March and April – June) and interactions with customers before staff is able to offer relevant statistics related to online usage, and round up rates, etc. The system has been through two full billing cycles and is fully stabilized. Regarding the round up feature, staff discussed this with the vendor and unfortunately, they don't have the programming in place to offer this. The programming is needed, due to the City using a 3 rd party payment vendor. Staff has requested that they develop the programming and the soonest soft commitment that they made is the October/November 2021 timeframe. Staff will follow up later in this calendar year and will provide updated information when it is available.	
2018-7	6/18/18	CMO	Agenda Item	<p>LGBTQ Initiatives Identify and implement Mayor and Council suggestions.</p> <p>Status: The Adopted FY21 budget includes a new family/gender neutral bathroom at Dogwood Park, to be constructed in FY22. The Human Rights Campaign 2020 Municipal Equality Index results were issued in December 2020. Rockville scored 110/100 on the scorecard, netting 10 bonus points for its services to LGBTQ youth, homeless people, elders and members of the transgender community. The LGBTQ community will be included in the Mayor and Council's ongoing work on social justice, racism and bias. A proclamation declaring June 2021 as LGBTQ month was issued at the June 7, 2021 meeting. Two PRIDE pre-recorded events were aired on the City's YouTube channel on June 26th. The events included conversations on shared experiences, support services resources, DIY art demonstration, and pre-recorded musical performances by local students and community</p>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				member musicians, and the Gay Men's Choir. At the September 13, 2021 meeting, the Mayor and Council adopted a resolution titled " Hate Has No Place Here: Condemning and Denouncing All Hate and Hate-Motivated Violent Actions in the City of Rockville to denounce hate against all groups, including the LGBTQ community.	
2018-8	6/18/18	CMO/RCPD/R &P/HCD	Town Meeting	<p>Rockville Goes Purple</p> <p>Status: The final component of the 2020 National Recovery Month activities is the release of a Rockville 11 interview with Rona Kramer, State Secretary of Aging, on opioids and older adults. View the special at: https://youtu.be/NoksgFBBY7I.</p> <p>A proclamation declaring September 2021 as National Recovery Month was approved on August 2, 2021 and a Rockville Goes Purple Update was provided at the August 2, 2021 meeting.</p> <ul style="list-style-type: none"> The kick-off event was held on September 13, 2021 at City Hall at 5:45 pm and was broadcast on Rockville 11. The Mayor and Council hosted a virtual WebEx, on 6 p.m. Saturday, Sept. 18, to discuss the HBO documentary, "The Crime of the Century," with guest Jonathan Novak, a former DEA attorney who took part in the documentary. Other events included a drug take-back day, 10 a.m.-2 p.m. Saturday, Sept. 18 at the Rockville City Police Department, and trainings in the opioid overdose reversal drug Narcan at noon, Tuesday, Sept. 14 and 6 p.m. Another Narcan training is planned for Tuesday, Sept. 28. To learn more about the Rockville Goes Purple campaign, visit www.rockvillemd.gov/rockvillegoespurple. 	Ongoing
2018-11	8/1/18	PDS	Agenda Item	<p>Neighborhood Shopping Centers</p> <p>Discuss mechanisms to encourage neighborhood shopping center revitalization and explore additional zoning and uses. Staff, REDI and the Rockville Chamber of Commerce met in January to discuss the research necessary to eventually bring this item forward. A Discussion on Incentivizing Shopping Centers will be scheduled for a date in the winter of 2022 and it will be shared when available.</p>	Winter 2022

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2018-15	10/8/18	PDS	Future Agenda	<p>Short-Term Residential Rentals Discuss how to manage short-term residential rentals' (e.g., Airbnb) impact on city neighborhoods and explore options for taxing users.</p> <p>Status: Short-term residential rentals was discussed on January 13, 2020. Staff emailed the results of additional research requested by the Mayor and Council on January 23, 2020. Mayor and Council held a public hearing on short-term residential rentals on November 9, 2020. A second public hearing has been scheduled for January 11, 2021 to elicit additional public input. It will be widely promoted through the City's communication channels.</p> <p>The public hearing was held on January 11, 2021 and the City has received approximately 25 pieces of testimony. A Mayor and Council work session was held on February 22, 2021 to discuss the testimony and potential short-term rental regulations. Short-Term Residential Rentals Discussion, Instruction, and Possible Authorization of the ZTA has been scheduled for November 22, 2021.</p>	November 22, 2021
2018-19	10/15/18	CMO	Future Agenda	<p>Volunteer Program</p> <p>Status: A report on the number of volunteers and volunteer hours for the first half of FY20 was provided on the January 13, 2020 agenda. On November 2, 2020, staff provided an FY20 volunteer update and discussion of strategies to increase volunteerism. Staff will work with the CC/DCO to create content protocols for the Board and Commission web pages using recommendations from the BCTF as a guide. Staff will share a work plan with goals and timelines for the volunteer program with the Mayor and Council. An update was provided at the May 10, 2021 Mayor and Council meeting. Updates will be provided every six months. The next Volunteer Program update is scheduled for December 6, 2021.</p> <p>Status of volunteer appreciation: In July, the Mayor and Council postponed the Volunteer Appreciation Party to the Spring 2022. For the Fall 2021, Mayor and Council asked the City Manager's Office to create and distribute some form of volunteer acknowledgement and appreciation. The City's volunteers from the past year should be included. Staff is actively working on this.</p> <p>Status of employee appreciation event: Human Resources is exploring the option of holding a virtual employee appreciation event by the end of February 2022.</p>	December 6, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2019-1	10/29/18	PDS	Future Agenda	<p>Accessory Buildings/Structures</p> <p>Status: On April 20, 2020, the Mayor and Council discussed potential revisions to the development standards for accessory structures. The Mayor and Council directed staff to conduct additional neighborhood outreach to educate and inform residents of the proposed changes and to bring back the item for discussion and instruction. Discussion and instruction on Accessory Buildings and Accessory Dwelling Units was held at the November 16th Mayor and Council meeting. The Mayor and Council directed staff to conduct comprehensive outreach to hard-to-reach neighborhoods and all HOA and community associations. A series of virtual meetings will be scheduled to gather additional community feedback. Staff will promote information broadly that explains it in a very clear and easy to understand manner. Staff will closely track the community input and will share it in a staff report for the public hearing that will be scheduled after the virtual meetings are completed. Staff held three WebEx community meetings and received a number of comments from the participants. A summary of the comments was provided to the Mayor and Council as part of the May 10, 2021 public hearing. At the public hearing, four speakers spoke in favor of allowing ADU's, while four speakers were opposed. At the hearing on accessory building standards, two speakers expressed detailed comments on certain aspects of the text amendment. Items regarding the Discussion and Instructions to staff for the ADU Text Amendment and the Accessory Buildings/Structures Text Amendment is scheduled for December 6, 2021.</p>	December 6, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2019-2	2/25/19	R&P/PDS/ CMO	Future Agenda	<p>RedGate Park Planning</p> <p>Status: The Mayor and Council provided staff direction on June 22, 2020 to engage the public in a planning process for a new destination park at RedGate. Staff has procured new public engagement software to support the effort and will begin the engagement process. The Mayor and Council will receive updates during the planning process and will be engaged in the public outreach portion of the work. Funding for consultant services was requested as part of the FY21 Budget Amendment #1 to Mayor and Council on October 26, 2020. FY21 Budget Amendment #1 was approved on November 2, 2020. Task Order for consultant services is out to bid with the City's 17-18 vendors. Once received, a team will evaluate the proposals to determine whether to award or go out to bid. When awarded, RedGate team will work with consultant to implement virtual public engagements and ultimately present three concepts to Mayor and Council. On Friday, January 22, 2021, the City officially issued the purchase order for the consultant work on this project. Staff has already begun meeting with the consultant team and aim to have the first public engagement opportunity in late February/early March.</p> <p>The public process for RedGate Park was announced under the City Manager's report on March 22, 2021 at the Mayor and Council meeting. Through a video message, residents were invited to visit the project website to complete a survey on what types of activities and facilities they would like to see at RedGate Park. There are also opportunities for commenting through the website so that individuals can choose the format they are most comfortable using. Informed by the survey and best practices, three site concepts that display different alternatives for RedGate Park will be shared with the public in winter of 2021, to help further guide the discussion of both what should be at RedGate Park, and where those uses should be located within the park. Based on that feedback, a final site concept will be presented to Mayor and Council for their approval in the winter/spring 2022. Staff will update the Mayor and Council on the planning process on October 18, 2021.</p>	October 18, 2021
2019-4	3/25/19	PDS	Future Agenda	<p>Special Districts, including Business Improvement Districts (BIDs), Tax Increment Financing (TIF), Arts & Entertainment Districts</p> <p>Status: The Mayor and Council discussed various options on 1/4/21 and decided to pursue an Arts & Entertainment district. Staff, in partnership with REDI and other stakeholders, will return to the Mayor and Council to discuss options for a formal State designation and for locations to promote. At the July 19, 2021 meeting the Mayor and Council approved a resolution</p>	TBD

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				designating the Rock East District area within the East Gude Drive corridor in Rockville in response to a request from REDI. A Rock East District proclamation is scheduled for the October 18, 2021 meeting. Staff will return in the future to discuss the concept of applying to the State for designation as an Arts & Entertainment District, perhaps focusing on Town Center. On October 18, 2021 the Mayor and Council will present a Rock East District certificate of recognition to the Executive Director of Rockville Economic Development, Inc.	
2019-7	4/1/19	R & P	Future Agenda	<p>Early Childhood Education and Child Care Services Discuss city provision of early childhood education services (history of the current program, community need for the service, private sector market, expansion to additional Rockville locations) and future services.</p> <p>Status: To prepare for the discussion, staff will obtain the results of a childcare user survey conducted for Montgomery County's Early Childhood Coordinating Council (ECCC) and will incorporate information requested in recent conversations with the Mayor and Council. The Mayor and Council approved the delay on January 4, since the County has not yet released the survey results. Staff obtained survey results from the Commission for Women and the County's ECCC and is analyzing them in preparation for the April 5, 2021 discussion. At the April 5, 2021 Mayor and Council meeting, Mayor and Council discussed Early Childhood Education with seven panelists that have various early childhood education perspectives. Staff is working on the next steps and requests for information that came from the meeting and will follow up with responses. Staff will continue to monitor opportunities for Mayor and Council to promote and advocate for quality childcare. The City has developed a "Child Care Reference and Links" <u>webpage</u> to direct parents and providers to county, state, and non-profit resources. The webpage gives parents links to childcare location services, subsidy programs. Providers can see links to opportunities from the county and state. An update will be provided to the Mayor and Council at a meeting in January 2022 in a similar format to the April 21, 2022 meeting to include early childhood education panelists from the County and State. Staff has already begun working on the report. When a specific date is identified in the winter of 2022 it will be shared with the Mayor and Council.</p>	Winter 2022

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2019-10	4/1/19	HR	Email	<p>Personnel Policy and Procedures Manual Update Share an update on the status of this effort.</p> <p>Status: In follow up to the Feb. 24 presentation of the updated PPM, the Mayor and Council discussed it again on October 26, 2020. Staff provided the revised draft PPM and responses to Mayor and Council questions on October 9, in advance of the October 26 brief book. The Mayor and Council removed the item from the October 26 agenda. The first discussion was held on November 19, 2020. The discussion included the development of a Rockville parental leave program. The parental leave and RIF policy discussion items were moved to October 25, 2021. A Comprehensive Review and Revision of the Personnel and Procedures Manual discussion has been scheduled for January 24, 2021.</p>	January 24, 2021
2019-12	4/1/19	Police	Future Agenda	<p>Parking Enforcement at Street Meters Share an overview of Rockville's current program and how other local jurisdictions handle parking enforcement at street meters, including hours of enforcement.</p> <p>Status: Town Center parking meter spaces have been signed as 15- minute curbside pick-up, and a system for improved food pick-up is in place in Town Square to support food service establishments. The Police Department intends to move forward with the implementation of Smart Meters in FY22, should the Mayor and Council provide approval through the FY22 budget process. An agenda item regarding Citation Fees and Fines, which includes items related to parking, was held May 3, 2021. Staff will return to the Mayor and Council with answers to questions, additional information, and a modified parking fine fee structure based on Mayor and Council feedback.</p> <p>Introduction of an Ordinance to Amend Chapter 23 of the Rockville City Code Entitled "Traffic" So as to Increase the Fine Amount for Violations of Parking Restrictions Within Fifteen Feet of a Fire Hydrant; Parking Restrictions Within the Lane Markings, or Signs, Designating a Fire Lane; and Parking Restrictions in Designated Handicapped Parking Spaces occurred on June 14 and adoption occurred on the June 21 meeting. The Police Department Parking Related Citation Fines Ordinance introduction is scheduled for October 18, 2021 and adoption is scheduled for October 25. Once the fee adjustments are approved, public outreach will be conducted to educate residents on the rationale for the changes through Rockville Reports and other City communication channels.</p>	October 18, and October 25, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2019-19	12/16/2019	Appointed Officials	Worksession	<p>Staff Recommendations on the Priorities of the Boards and Commissions Task Force Report</p> <p>Continue the Mayor and Council's discussion of the Boards and Commission Task Force (BCTF).</p> <p>Status: The Mayor and Council discussed the Task Force's report and next steps on July 6, 2020. The Mayor and Council directed the three appointed officials to return on agenda, on November 23, 2020 with specific updates and responses to the recommendations in the report and an action plan for next steps. The Mayor and Council will also discuss recruitment of volunteers for boards and commissions during the November 23 Agenda Item on new boards and commissions. These items were discussed on November 23, 2020 by the Mayor and Council. On May 17, 2021 staff will present the Appointed Officials Proposed Policies and Procedures Guidelines – BCTF Recommendation for Mayor and Council discussion and instructions, and possible adoption. This will include an update on the status of recommendations included in the November 23, 2020 staff report. Discussion, and Instruction, and Possible Adoption - Appointed Officials' Proposed Policies and Procedure Guidelines - BCTF Recommendations was scheduled for May 17, 2021, but staff was not available. This item has been rescheduled for the November 1, 2021 meeting.</p>	November 1, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-02	3/18/2020	CAO	Future Agenda	<p>5G Wireless Technology</p> <p>Status: On March 18, 2020 and May 11, 2020, the Mayor and Council discussed and introduced Zoning Text Amendment TXT2019-00251 on regulating the Installation of Small Cell Antennas. Staff is researching topics and questions raised by the Mayor and Council prior to scheduling adoption of the Ordinance. In addition, the FCC has issued another order which requires that this text amendment be modified prior to adoption. Staff is currently evaluating what changes must be made. It is likely that the text amendment may be modified significantly and would require beginning the public review process again. The CAO has hired an outside attorney who is assisting with the ordinance rewrite. The date is to be determined by the Mayor and Council as to when this will appear on the meeting agenda. City engaged Best, Best and Krieger (BB&K) to provide advice and edits on the zoning text amendment TXT2019-00251 for 5-G/small cell installations. The firm completed its review and edits. Due to staffing changes in both PDS and the CAO, current staff will need to evaluate the firm's work and assess how best to move forward on BB&K's suggested changes to the text amendment.</p>	TBD

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-03	1/13/2020	DPW	Future Agenda	<p>Climate Change Efforts Brief the Mayor and Council on City efforts related to climate change.</p> <p>Status: The Mayor and Council reviewed preliminary findings and discussed the process for developing Rockville's first Climate Action Plan on September 21, 2020. Staff led a public engagement process in the Fall and winter of 2020, including meeting with various boards and commissions, a virtual Climate Action Plan Open House on November 17, and an online survey open through the end of February. Throughout 2020/2021, staff worked with a consultant and COG to develop a cost/benefit analysis of climate actions, and work with different departments on a climate resiliency analysis. The Mayor and Council received a presentation on the County's Draft Climate Action Plan on February 8, 2021 from Montgomery County officials. The County released their final plan in June of 2021; the County's plan contains several actions for municipal coordination that informed the action included in the City's plan. The City's Environmental Management Division held a virtual community meeting to provide an update on the Draft Climate Action Plan on July 22, 2021 from 7 – 8:30 pm. A Presentation and Discussion of the Draft Climate Action plan is scheduled for January 10, 2022. The draft plan was developed with extensive input from the Environment Commission and members of the community. It contains approximately 42 actions to reduce greenhouse gases and increase resiliency to climate change in an equitable manner; including several measures to increase renewable energy and electric vehicles in both City operations and throughout the community. The draft CAP also includes a preliminary review of potential costs, effectiveness, feasibility, equity considerations, and co-benefits for each action to help inform the Mayor and Council on implementation needs, future budget considerations, and potential metrics to access progress through 2030. Staff looks forward to receiving feedback on the draft plan this winter to chart a feasible and effective path towards strategic implementation.</p>	January 10, 2022

2020-07	1/13/2020	HCD	Future Agenda	<p>Affordable Housing Goals Discuss Rockville's strategy to meet the affordable housing goals established by the Metropolitan Washington Council of Governments (COG).</p> <p>Status: Multiple Future Agenda Items will explore a variety of strategies to meet the affordable housing goals, including adjustments to the City's Moderately-Priced Dwelling Unit (MPDU) program, tax exemptions for affordable housing, fees and other subsidized housing programs. Staff will explore with the Mayor and Council other barriers to affordable housing by reviewing the zoning ordinance, identifying developable and under-utilized parcels, and seeking additional affordable housing funding opportunities and tools. To inform the Future Agenda Items, staff will conduct public forums to solicit feedback on strategies.</p> <p>The City's Homeowners Tax Credit Program and the County's Senior Tax Credit Program was included in the Mayor and Council's budget survey and other materials during the first FY22 Budget Worksession on November 9, 2020. Mayor and Council held a work session on housing matters at its February 22, 2021 meeting. The specific discussion items included MPDUs Affordability Restriction period, Senior Tax Credits, Employer-Assisted Housing, and Incentives in Exchange for More Affordable Units. The next steps will include additional research related to help further the discussion on the senior tax credit. The items to be researched will include current assessed value of Rockville homes, reaching out to the County about pursuing changes to the County's program; additional data from SDAT. Staff will also reach out to Gaithersburg about their homebuyer assistance program to learn about funding levels, staffing levels and other pertinent program information. The Mayor and Council received the 2040 Comprehensive Master Plan on March 15, 2021 for review. The 2040 plan included consideration of missing middle housing.</p> <p>Voluntary Rent Guidelines (and MPDU Rent and Income Schedule)— A resolution was approved by Mayor and Council on April 12th allowing for 1.4% increase.</p> <p>MPDU Declaration of Covenants and Restrictions (Rental)— Staff is also developing a system for tracking rental MPDU expiration dates (there are about 900 units with different expiration dates) to be discussed on agenda on February 22, 2021. The Mayor and Council were provided with a spreadsheet showing the expiration dates of the Declaration of Covenants and Restrictions for each development containing rental MPDUs. M&C would like to explore extending changes the current 30-year MPDU affordability period to 99 years. Staff will bring forth to the Mayor and Council recommended amendments to the City</p>	November 15, 2022 and Ongoing
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				<p>Code Chapter 13.5 (MPDU Ordinance) and the implementing regulations in Fall 2021. Staff will bring this item to the Mayor and Council in November.</p> <p>Standardizing MPDU Set-Aside Staff previously brought forth to the Mayor and Council a concept discussion of standardizing the MPDU set-aside requirement to 15% throughout the city regardless of zoning designation (some areas of the city only require 12.5%). The Mayor and Council directed staff to take the next steps, which was to include hosting a public forum for feedback followed by redline revisions to the MPDU ordinance and regulations. Staff will bring forth the redlined revisions to the Mayor and Council for consideration. A public hearing is not required for MPDU code updates.</p> <p>Annual MPDU Updates--Per Mayor and Council request at the March 15, 2021 budget work session, HCD will provide an annual report on MPDU activities—MPDUs sold (including resales), foreclosed, and delivered, and units that age out of the program at end of each calendar year.</p> <p>Employee Homeownership Assistance Program—This was discussed at the February 22, 2021 Housing Work Session. Staff shared that a follow-up memo will be circulated to the Mayor and Council with recommended strategies for consideration. The City Manager circulated a follow-up memo with Mayor and Council on 3/21/2021. The memo provided an overview of Gaithersburg program and recommended a path to fund a similar (smaller scale) program for the City of Rockville. Staff awaits M&C direction for further action. An Employee Housing Assistance Program discussion will be held on November 15, 2022.</p> <p>MPDU Declaration of Covenants and Restrictions (Homeownership)—The Mayor and Council requested that staff bring forth for Mayor and Council discussion concepts on shortened Moderately Priced Dwelling Unit (MPDU) Declaration of Covenants and Restriction for the homeownership component of the MPDU program. This was discussed in the context of a development proposal for the King Buick site and the potential for creating a feasible workforce product at the site. The concern is that the current 30-year control period on all MPDUs would make workforce units above 80% of AMI an unattractive purchase for buyers at the applicable sales prices and be subjected to restrictions of the MPDU Declaration of Covenants and Restriction. Staff will bring this item to the Mayor and Council in the winter or at a later time that works for Mayor and Council.</p>	
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Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-09	1/27/2020	DPW	Future Agenda	Corridor Cities Transitway Provide background information to facilitate the current Mayor and Council taking an official position on the CCT route. Status: Discussion will be scheduled for a future Mayor and Council meeting.	TBD
2020-10	1/27/2020	DPW	Future Agenda	I-270 widening Establish a strategy for negotiating with the State. Status: Mayor Newton spoke at the public hearing on Sept. 10. The comment period on the DEIS was extended from Oct. 8 to Nov. 9. The Mayor and Council discussed the DEIS on October 26 and provided comments on the DEIS letter. The Mayor and Council approved the letter to MDOT on November 2, 2020. Councilmember Pierzchala forwarded an advocacy strategy to the Mayor and Council that is under consideration and was discussed at the December 7 meeting. Staff sent an email to the District 17 Delegation inviting them to attend a Mayor and Council meeting in January 2020, prior to the start of the State legislative Session, to discuss advocating in support of the City's interests. At the December 14 meeting, the Mayor and Council provided direction to staff to research hiring outside expertise and counsel regarding I-270 widening and to take into consideration the four bullet points included in the summary provided by Councilmember Pierzchala. The Mayor and Council held a work session to discuss potential outside consultant needs and other matters related to the I-495 & I-270 at their January 25, 2021 meeting. The Mayor and Council directed staff to develop a scope of work that would include tasks, milestones, and costs for outside consultant expertise. Additionally, staff will continue to coordinate with Don't Widen I-270, Park and Planning, and Transportation Planning Board partners, as well as with other organizations who may have similar interests. On April 12, the Mayor and Council approved the Acting City Attorney to move forward with procuring a legal consultant to assist with the I-495 and I-270 Managed Lanes Project. MDOT/SHA and Federal Highway Administration (FHWA) published the Supplemental Draft Environmental Impact Statement (SDEIS) on 10/1/21 and comments will be accepted until 11/15/21. Two MDOT/SHA virtual public hearing sessions are scheduled for 11/1/21. At the October 4 meeting the Mayor and Council approved that a letter would be sent to MDOT asking for the public comment process to be extended to at least 120 days. The discussion would be continued at a later meeting.	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-08	1/27/2020	CMO/PDS/ Finance/DPW	Worksession	<p>Town Center Follow-up on Mayor and Council direction from the Town Hall meeting and Urban Land Institute (ULI) report.</p> <p>Status: A Mayor and Council status update and discussion of Town Center initiatives was held on January 4, 2021.</p> <p>Parking – On July 12, 2021, Federal Realty changed the rate structure to permit the first two hours of parking to be free in the Town Square garages, without the need for validation. Street parking will be discussed during the October 4th discussion that will include the future of Gibbs Street and E. Montgomery Avenue.</p> <p>Town Center Road Diet – Study and report to Mayor and Council on suggestions in the TAP report and Mayor and Council's discussion. Status: The consultant presented their analysis of No. Washington St and East Middle Ln to the Mayor and Council on October 5, 2020, when staff received direction on the preferred approach. That direction was amended on April 19, 2021. The project was approved in the FY22 CIP for design and construction funding. A design contract was awarded on September 7, 2021.</p> <p>Real Estate/Broker/Economic Assessment – In the context of the next update on the ULI recommendations, invite industry experts to dialogue on competitive challenges to Town Center.</p> <ul style="list-style-type: none"> Status: REDI and city staff will continue to provide their professional insights on competitive challenges to Town Center. The Mayor and Council discussed Town Center on January 4, 2021. <p>Undergrounding of Route 355 – Revisit the information provided to the Mayor and Council, including community impacts, to formulate an official Mayor and Council position post COVID-19.</p> <ul style="list-style-type: none"> Status: On August 2, 2021, the Mayor and Council adopted the Rockville 2040 Comprehensive Plan, choosing to retain the concept of undergrounding MD 355, with an elevated pedestrian promenade, as the City's long-term policy, as is indicated in the Town Center Master Plan. The WMATA study of the Rockville Metro Station will provide an opportunity to discuss that policy and how implementation would interact with the future plans for the station and Bus Rapid Transit. <p>Community Engagement – on 1/4/21, the Mayor and Council directed staff to return with options for how to engage Town Center residents, business owners and other stakeholders. Two meetings on this topic were held with City staff across departments, as well as REDI and the Rockville Chamber. An</p>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				<p>internal draft memorandum presenting the approach has been developed. The City Manager has directed that staff conduct additional outreach to residents, businesses and others to ensure that the strategy comports with needs and desires of Town Center stakeholders. A revised memo will be completed for the City Manager to share with the Mayor and Council in the fall of 2021.</p> <p>The Future of Gibbs Street and E. Montgomery Avenue In June 2020, the City closed Gibbs Street to vehicular traffic, so as to allow businesses and non-profit organizations to have expanded areas for outdoor seating and activities during the pandemic. The City did the same with E. Montgomery Avenue, between Maryland Avenue and E. Montgomery Avenue. Adjustments were made at various points to both streets, including improved entrance areas (through decorative planters), Federal Realty bringing enhanced street furniture to Gibbs, adjustments to how the furniture is arranged on Gibbs, and re-opening a portion of E. Montgomery Avenue to permit, on the south side, one lane of vehicular traffic and one parking lane (while still permitting a restaurant tent on the north side of the previously closed block. On July 1st, the Mayor and Council authorized that this arrangement be left in place until October 31, 2021. On October 1, 2021 the City Manager provided the Mayor and Council with a report on the status of Town Center Streeteries. While the City negotiates for a permanent agreement with FRIT, the City Manager extended indefinitely the temporary permits for outdoor seating on Gibbs Street. This item will be brought as Consent Item in the future (TBD). The City Manager also maintained the current partial road closure on East Montgomery Avenue and will extend temporary outdoor dining permits in 6-month intervals to the World of Beer. The free, 15-minute on-street parking for curbside pickup will continue in designated spaces in Town Center. Staff is also examining new signage to reduce confusion and provide better clarity for visitors.</p> <p>The southern half of E. Montgomery, between Maryland Avenue and Helen Heneghan Way, has been reopened for curbside pick-up at the request of the businesses on the south side of East Montgomery Avenue, in order to accommodate their needs and those of their customers. World of Beer continues to use outdoor seating on the north side of E. Montgomery, with planters, a tent, and signage serving as protection for pedestrians, diners and drivers.</p> <p>Tax Incentives for Development – on 1/4/21, the Mayor and Council asked that staff return to present potential options to encourage more residential development in Town Center, including through tax incentives.</p> <p>Addressing maximum building heights in Town Center – on 1/4/21, the Mayor and Council asked that staff provide options for increasing allowable building heights in certain locations in Town Center. This topic was discussed in the June</p>	

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				7, 2021 Rockville 2040 Comprehensive Plan work session and direction was provided to staff regarding how heights are discussed in the Planning Area 1 (Town Center) section of the plan. Introduction and Adoption of the Rockville 2040 Comprehensive Plan occurred on August 2, 2021.	
2020-11		PDS	Future Agenda	<p>Proposed Annexation of 16200 Frederick Road (King Buick Property)</p> <p>On November 23, 2020, the Mayor and Council directed staff to initiate the annexation process, through introduction of a resolution to expand the corporate boundaries (annexation). After the Planning Commission's review and recommendation, including of the zoning for the parcel, the Mayor and Council held a public hearing on the proposed annexation on May 17th. On June 21st, the Mayor and Council reviewed testimony, introduced an ordinance to amend the zoning ordinance to apply an MXCD zone to the property, and provided instructions to staff to return for adoption of the annexation resolution and approval of the new zoning. Those actions are scheduled for October 4th. On September 13th, the Mayor and Council approved a proposed Annexation Agreement with the prospective developer, EYA, to establish parameters for the proposed development project. Also, EYA has submitted a project plan application, which is going through the City's regulatory process and will come later. The public hearing and Discussion and Instructions for the project plan are scheduled for October 18 (two separate items). Approval of the project plan with conditions is scheduled for November 8, 2021.</p>	October 18, 2021 and November 8, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-14	4/20/20	CMO/CAO	Future Agenda	<p>Smoking/Vaping Awareness Campaign (Public Rights-of-Way & multi-family residential developments) Develop a public awareness campaign about the negative impacts of smoking generally, on people with underlying health conditions and on neighbors in multi-family residential communities.</p> <p>Status: The Mayor and Council discussed this topic on July 20, 2020. Throughout the month of November, the City conducted an information campaign describing the dangers of tobacco use and educating the Rockville community about where they can expect smoke-free environments, and what steps to take to be healthy and smoke-free. A proclamation for the Great American Smokeout was issued at the October 26 Mayor and Council meeting. A Healthy Rockville recognition program has been created for smoke-free multifamily housing.</p> <p>Next steps included sending letters to the business community reminding them of smoke-free laws. An accurate list of all restaurants has been developed, and the letter was sent in April 2021. Staff recommends that this item be moved to the completed section of the report. Mayor and Council, please provide direction.</p> <p>The Assistant Planning Director is reaching out to Federal Realty Investment Trust (FRIT) to make them aware of the issues with patrons not following the City's No Smoking Ordinance in outdoor seating areas controlled by FRIT and will request that FRIT reach out to their tenants and remind them of the requirements. Staff will also request that FRIT continue to remind patrons using public areas in the vicinity of the plaza that they must follow the City's No Smoking Ordinance. Additional no smoking signage will be installed on Gibbs Street.</p>	Completed
2020-16	6/1/20	RCPD/HCD/ CMO	Future Agenda	<p>Social Justice, Racism and Bias Prepare suggestions for Mayor and Council discussion of ways to further engage with and educate our community.</p> <p>Status: On June 22, 2020, the Mayor and Council discussed the Rockville City Police Department's (RCPD) fair and impartial policing strategies. Frequently Asked Questions were posted online to educate the community. The Mayor and Council on November 16, 2020 approved the vision, purpose, and mission of a new Community Policing Advisory Board (CPAB) and directed staff to come back with a resolution to formally</p>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				<p>approve the establishment of the CPAB. The Mayor and Council approved the resolution to establish the CPAB on December 7, 2020.</p> <p>The Community Policing Advisory Board began meeting in March 2021, the group has organized into four subcommittees to review data and statistics regarding calls for service within the city, the department's policies and procedures, mental health and officer wellness as well as outreach and community engagement. The Board has had lengthy discussions regarding the agency's budget – specifically reviewing if there is adequate funding for training and the types of training being offered to officers. There is an emphasis on ensuring RCPD is focused on crisis intervention and effective methods for de-escalation and dealing with those in mental crisis. Unfortunately, due to COVID-19, the Board has not been able to participate in community outreach events with RCPD and meet with the community to hear their thoughts and concerns; however, the Board has attended the Fair and Impartial Policing Training held this past summer. The Board has engaged in conversations with MCPS/Richard Montgomery High School in regards to the Community Engagement Officer role (formerly SRO's) and if there is any action that needs to be addressed with the current structure of the program. The Board is also interested in focusing on ways to communicate with the community to provide important educational resources and points of contact at local organizations for assistance with substance abuse, homelessness, domestic violence, mental crisis, etc.</p> <p>On September 21, 2020, the Mayor and Council discussed short, mid and long-term action ideas, aspirations and directives and directed staff to further revise the table and develop a plan for next steps. The follow-up discussion was held during the December 14, 2020 meeting regarding the employee survey on racial equity and inclusion. The input will help to inform the preparation for the discussion on further refining the social justice, racism, and bias action plan and next steps, which is scheduled as a worksession for January 25, 2021. On January 25, 2020 the Mayor and Council held a follow-up discussion and provided direction on potential action items and implementation strategies. Staff will develop and populate a tracking chart with which to monitor the activity and progress of each action.</p> <p>The Human Services Advisory Commission (HSAC) and Human Rights Commission (HRC) shared an overview of their community survey instrument and discussed it at the March 1st Mayor and Council meeting, prior to deployment. The HSAC and HRC will present the community</p>	

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
				<p>survey results to the Mayor and Council. The governing body will have the opportunity to provide direction on the survey results and it will be included, with the community input, in the list of implementation strategies for potential direction on implementation.</p> <p>Community Survey- at the March 15, 2021 Mayor and Council meeting, a member of the Mayor and Council suggested structuring the community survey to make it scientific. The suggestion was made in the context of planning and budgeting the ARP funding for assistance programs. Staff will follow up with Mayor and Council to gain additional understanding of the suggestions. Community Survey is scheduled to be released in the Spring of 2021.</p> <p>As of the week of 4/26/21, the community Survey has been translated into 5 languages (Spanish, Russian, Mandarin Chinese, Vietnamese, and Korean). HSAC and HRC commissioners are inputting the survey questions into SurveyMonkey. The survey was released on June 2nd. The HRC/HSAC plans to report the survey results to the Mayor and Council in the first quarter of calendar year 2022.</p> <p>Resolution for Equity and Social Justice- Was first discussed on May 24, 2021. The Mayor and Council discussed the proposed resolution and provided edits to staff. Staff brought forth to the Mayor and Council a revised version of the resolution for discussion and adoption on July 12, 2021. The resolution was adopted On July 12, 2021 with one change (adding “Latino” to a clause). The Mayor and Council also directed staff to prepare a resolution titled ”Hate Has No Place Here” condemning all hate. Staff will bring forth a draft resolution at the September 13, 2021 Mayor and Council meeting. The Mayor and Council approved a resolution titled “Hate Has No Place Here” at the September 13, 2021 M&C meeting.</p> <p>The City Manager shared with the Mayor and Council potential draft job descriptions for the Diversity, Equity and Inclusion professional and Mental Health Specialist. The City Manager and the Police Chief also discussed structuring the Mental Health Specialist position through a contractual relationship with Montgomery County, which is presently being designed into an MOU with the County’s Department of Health and Human Services. Both positions were included in the FY22 Adopted Budget.</p>	

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
				<p>The Assistant to the City Manager for Diversity, Equity, and Inclusion position was posted and can be found at the following link. https://www.governmentjobs.com/careers/rockville/jobs/3246991/assistant-to-the-city-manager-diversity-equity-and-inclusion</p> <p>A package of Police Reform legislation at the State level passed in the 2021 General Assembly Session, which included the repeal of the Law Enforcement Officer's Bill of Rights. The package of bills that passed are as follows: Accountability Act of 2021 – Body-Worn Cameras, Employee Programs, and Use of Force (passed); Senate Bill 178: Maryland Police Accountability Act of 2021 – Search Warrants and Inspection of Records Relating to Police Misconduct (Anton's Law) (passed); Senate Bill 600: Maryland Police Accountability Act of 2021 – Surplus Military Equipment and Investigation of Deaths Caused by Police Officers (passed); and House Bill 670: Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures (passed). The Governor vetoed three of the bills, but the vetoes were overridden prior to the last day of the Session and therefore all four initiatives will become law in July 2022. An overview of the legislation was provided to the Mayor and Council to in the final 2021 State Legislative Update prepared by Rockville's State lobbyist.</p>	

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-17	6/1/20	CMO	Email	<p>Spanish Language Article in Rockville Reports Provide background information about the City's former practice of translating to Spanish one of the articles of priority interest to the community into each edition of Rockville Reports.</p> <p>Status: Staff shared the requested information by email on June 16, 2020. Outreach to multi-lingual communities and tracking will be a focus of the efforts of the new diversity position that is included in the FY22 approved budget. This will entail a broader review of the whole approach. The City posted the DEI position on the Rockville website on 9/25 and kicked off the recruitment process. Staff has been and will continue to look for opportunities to increase City communications in languages other than English.</p> <p>Staff proposes changing the title to "Create a translation policy and implementation plan." Mayor and Council, please provide direction. The City Manager's Office will assign this important task to the new DEI position. Staff envisions the incumbent will conduct an analysis of the community and various engagement and communication efforts to determine a translation policy that will effectively enhance citywide outreach. In the meantime, staff is using a certified translation company to translate important items such as flooding reimbursement, Vision Zero, Redgate survey and HRC survey. The City's website offers translatable content and Rockville Reports (print) has a panel on the front-page instructing readers (in Korean, Spanish, French and Simplified Chinese) to the online version for information that can be translated.</p>	TBD

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-18	6/8/20	Appointed Officials	Future Agenda	<p>New Education Commission/Committee and new Youth Commission/Committee</p> <p>Discuss the possibility of establishing a new commission or committee on education and a new commission or committee on Youth.</p> <p>Status: The Mayor and Council discussed this item on November 23, 2020 and provided direction to the appointed officials to evaluate the possible Commissions through the criteria provided in the BCTF tool, including a public hearing. The City Clerk/Director of Council Operations and the Acting City Attorney are reaching out to a professor at Montgomery College who volunteered to serve as staff support for the new Youth Commission. This item will come back to the Mayor and Council for direction. The City Clerk/Director of Council Operations met with Gregory Sember of Montgomery College regarding the Youth Commission. Mr. Sember will follow-up with staff on a proposed plan for the Youth Commission. A presentation on the proposed Youth Commission was provided on May 17, 2021. The Mayor and Council unanimously directed staff to return with revised language for a resolution to create a Youth Commission. It is scheduled for October 25, 2021. A Draft Resolution on a Proposed Youth Commission and Discussion and Instructions for an Education Commission has been scheduled for the November 15, 2021 meeting.</p>	October 25, and November 15, 2021.
2020-20	10/26/20	PDS	Email	<p>Business Outreach Webinar</p> <p>Support and participate in a REDI/Chamber/City webinar for local businesses to educate them on options for extending outdoor dining and services in the fall and winter months. Information sharing would include city permits, tents, heaters and other methods to extend business activities. The first webinar was held on November 16, 2020. The second webinar was held on March 29, 2021. Staff is working with REDI and the Chamber to schedule a date and focus for the next webinar. The REDI Executive Director recommended that the best time to schedule the webinar is as the first step in the REDI Business Survey, which will be initiated in the fall of 2021. REDI has selected a consultant and will be kicking off the project in October. A first step is to hold a meeting with businesses to understand their needs. REDI/PDS anticipates that this meeting will be held in November, likely early in the month.</p>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-21	11/2/20	DPW	Memo	Vision Zero Quarterly Updates An update memo was provided to the Mayor and Council on November 4, 2020. Staff provided an update on Vision Zero and the Bikeway and Pedestrian Master Plans at the February 1, 2020 Mayor and Council meeting. The next update will be provided by memo in May 2021. Public Works staff confirmed the Vision Zero Update was sent to RPAC, RBAC, and the Traffic and Transportation Commission. An update memorandum was sent via email to the Mayor and Council on May 28, 2021, and September 13, 2021. Public Works staff confirmed the Vision Zero Update was sent to RPAC, RBAC, and the Traffic and Transportation Commission. The next agenda presentation will be provided to the Mayor and Council on November 1, 2021.	November 1, 2021
2020-22	11/2/20	HR	Future Agenda	Parental Leave Policy The Mayor and Council will hold a discussion of a Rockville parental leave policy on January 24, 2022.	January 24, 2022
2020-24	12/7/20	City Manager's Office	Future Agenda	Good Neighbor Awards Process A discussion on the process, criteria, and best practices related to the Good Neighbor awards was held on April 5, 2021. Staff has been directed to return to Mayor and Council with research from other communities/best practices and specific recommendations for the award process. This item has been scheduled for November 22, 2021.	November 22, 2021
2020-25	4/26/21	City Manager's Office, REDI, and Planning and Development Services	Future Agenda	Citywide Marketing and Branding The Mayor and Council held a 4/5/21 discussion on this topic, during which there was a vote to pursue a branding exercise in FY22, subject to budget appropriation. The project would be to update the communitywide brand but also include a focus on Rockville's commercial districts, to include Town Center. The next steps are for staff to return to the Mayor and Council with a draft scope of work for hiring a branding consultant. City staff and the REDI Executive Director have been meeting to discuss the strategy and next steps for the draft scope of work for the branding consultant. A discussion on Branding has been scheduled for November 8, 2021.	November 8, 2021

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-26	4/26/21	City Manager's Office/Finance	E-Mail	<p>Municipal Tax Duplication</p> <p>Track the progress of Municipal Tax Duplication (MTD) throughout the County Council's consideration of the FY22 Operating Budget and advocate in support of the City's and the MML Montgomery Chapter's interests. After the County Council adopts the FY22 budget, work with the MML Montgomery Chapter, Chevy Chase Village, and Gaithersburg to advocate for the County to allow shared services and negotiate a payment for Police services.</p> <p>The Mayor and Council sent written comments for the April 7 County Council FY22 Budget hearing and a follow-up letter to the County Council on April 27 in advance of the April 30 GO Committee discussion regarding Municipal Tax Duplication (MTD). On April 30, the GO Committee voted unanimously to approve Chair Navarro's recommendation to approve the County Executive's proposed increase of \$824,632 for FY22 MTD; recommend an additional \$5 million in MTD funding (as requested by the MML Montgomery Chapter) as part of the County Council's budget reconciliation process, with flexibility in three tranches (\$2 million, \$1.5 million, and \$1.5 million); to work with the MML Montgomery Chapter to come to agreement on revised MTD formulas; and codify a formula for shared services (by October 2021) that would allow for the reimbursement of Police services in FY23. On May 12, by a unanimous straw vote, the County Council approved the GO Committee recommendation. Staff sent information to Mayor and Council on May 12th indicating that County Council staff confirmed category #2 budget reconciliation items (including MTD) will be considered sometime later this year and will not be included in the FY22 Budget that will come before the County Council for approval on May 27. County Council staff indicated that while a process for post budget adoption items has not been set, they will notify City staff when it is established. The County's FY22 Adopted Budget adopted by the County Council on May 27, 2021 included unanimous support for the GO Committee's recommendation. The Chapter President, Councilmember Ashton and representatives from the MML Montgomery Chapter Board have been meeting on a bi-weekly basis with the County's Chief Administrative Officer in follow-up to the County Council direction to resolve outstanding Municipal Tax Duplication issues, including the reimbursement for Police shared services for Gaithersburg, Rockville, and Chevy Chase Village (discussion began on July 29 and is ongoing).</p>	Ongoing
2020-27	4/26/21	Human Resources	Future Agenda	<p>Reduction in Force Policy</p> <p>This item has been relocated from the future items to be scheduled section. This item is scheduled for the January 24, 2022 meeting.</p>	January 24, 2024



Mayor & Council Meeting Date: October 18, 2021
Agenda Item Type: Review and Comment
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Sara Taylor-Ferrell

Subject

Future Agendas

Recommendation**Attachments**

Attachment 15.A.a: Mock Agenda 10.25.21 (PDF)

Attachment 15.A.b: Future Agendas as of 10.18.21 (PDF)


Sara Taylor-Ferrell, City Clerk/Director of Council Operations 10/13/2021



MAYOR AND COUNCIL

MEETING NO.
Monday, October 25, 2021 – 7:00 PM

MOCK AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

Viewing Mayor and Council Meetings

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov by no later than 10:00 a.m. on the date of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your **Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone)** to mayorandcouncil@rockvillemd.gov no later than **10:00 am on the day of the meeting**.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 5:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex>
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test:** <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 4 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Feinberg)

Drop-In Sessions will be held by phone on Monday, November 8 from 5:30-6:30 p.m. **Please sign up by 10 a.m. on the meeting day using the form at:** <https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

7:00 AM 1. Convene

2. Pledge of Allegiance

7:05 PM 3. Agenda Review

7:10 PM 4. City Manager's Report

7:15 PM 5. COVID-19 Update

7:20 PM 6. Recognition

A. Certificate of Recognition Peace Corps 60Th Anniversary

7:25 PM 7. Boards and Commissions Appointments, Reappointments and Announcements of Vacancies

7:30 PM 8. Community Forum

Any member of the community may address the Mayor and Council for 3 minutes during Community Forum. Unless otherwise indicated, Community Forum is included on the agenda for every regular Mayor and Council meeting, generally between 7:00 and 7:30 pm. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance or sign up in the Mayor and Council Chamber the night of the meeting.

7:50 PM 9. Consent

A. Award of IFB #21-10 - Isreal Park Shelter Replacement

B. Award of Sourcewell Rider Contract #052417-CMT, Tandem Axle Trailered Concrete Mixer, to Cement Tech, Inc. of Indianola, IA in the Amount of \$111,143.57

C. Award of Sourcewell Rider Contract #060920-NAF, Rear Packer Refuse Truck, to National Auto Fleet Group of Watsonville, CA in the Amount of \$504,340.28

D. Award of State of Maryland Rider Contract #0001B1600358, Dump Truck, to Johnson Truck Center of Landover, MD in the Amount of \$179,140.00

E. Adoption - Police Department Parking Related Citation Fines

F. Adoption of Resolution - Amending the Master Fees for Public Works and Planning and Development Services

- 7:55 PM 10. Public Hearing on American Rescue Plan Act Funds
- 8:15 PM 11. FY 2023 Budget Public Hearing
- 8:35 PM 12. FY 2022 Budget Amendment (Amendment #1)
- 8:55 PM 13. FY 2023 Budget Calendar and Budget Surveys
- 9:25 PM 14. 2021 City of Rockville Holiday Drive Plan
- 9:30 PM 15. Senior Citizen's Commission Update and Report
- 9:50 PM 16. Draft Resolution: Proposed Youth Commission
- 10:20 PM 17. Review and Comment - Mayor and Council Action Report
18. Review and Comment - Future Agendas
19. Old/New Business
- 10:40 PM 20. Adjournment

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: <http://www.rockvillemd.gov/mcguidelines>.

**Future Agendas
As of 10/18/2021**

15.A.b

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 11/1/21 07:00 PM (11 items)		
Proclamation	5	Proclamation Declaring Municipal Government Works Month
Proclamation	5	Proclamation Declaring National Family Caregivers Awareness Month
Discussion, Instructions and Possible Adoption	30	Appointed Officials' Proposed Policies and Procedure Guidelines -BCTF Recommendation
Proclamation	5	Proclamation Declaring Family Court Awareness Month
Discussion and Possible Approval	20	2022 State Legislative Priorities
Introduction	5	Introduction of an Ordinance to Establish Water and Sewer Charges
Public Hearing	20	Public Hearing on FY 2022 through FY 2024 Water and Sewer Rates
Proclamation	5	Proclamation Declaring National Native American Heritage Month
Public Hearing	20	Public Hearing on Project Plan Application PJT2020-00012, a Request to Allow Up to 350 Multifamily Units Instead of Office Development on an Undeveloped Property Within the Fallsgrove Planned Development (PD) at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicants
Presentation	60	Update on Vision Zero and Bikeway and Pedestrian Master Plans
Discussion	20	Cultural Arts Commission Annual Report
Total Meeting Time (In Hours)	3 HRS 15 MINS	

Attachment 15.A.b: Future Agendas as of 10.18.21 (3901 : Future Agendas)

**Future Agendas
As of 10/18/2021**

15.A.b

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 11/8/21 07:00 PM (7 items)		
Proclamation	5	Proclamation Declaring National Palliative and Hospice Care Month
Discussion	45	Discussion on Branding
Adoption	5	Adoption of an Ordinance to Establish Water and Sewer
Discussion, Instructions and Possible Adoption	60	Discussion, Instructions, Possible Introduction and Possible Adoption of an Ordinance to Amend Chapter 13.5 of the Rockville City Code Entitled "Moderately Priced Housing" by Amending Section 13.5-5 So as To: (1A) Establish a 99-Year Control Period of Certain Rental Units Under the Rental Component of the MPDU Program; (1B) Establish a 7-Year Control Period for Homeownership MPDUs Priced at AMI Levels of 80% or Higher; (2) Lower Current Unit Count Threshold Triggering MPDU Set-Aside for Whereby Residential Development Consisting of 20 or More Total Units Would be Subject to MPDU Set-Aside Requirements to be Met with Construction of Units or through In-Lieu Fee; and Establish an In-Lieu Fee Option for Developments with Unit Count of 11-19 Units Qual to an Amount of One-Half (0.5) Percent of the Purchase Price of Each Dwelling Unit; (3) Uniformly Apply 15 Percent MPDU Set-Aside Requirement for Developments of 20 or More Units; (4A) Establish a Formula for Contributions to the Moderately Priced Housing Fund in Lieu of Providing MPDUs in Senior Housing with Services Products; and (4B) Provide an Alternative a Reduced MPDU Set Aside (5% Vs. 15%) When Senior Housing with Services Products Sets-Aside MPDUs Across the Entire Spectrum of Units, Including Independent Living, Assisted Living, Skilled Nursing, and Memory Care Units; (4) Make Other Technical Amendments
Adoption	20	To Approve, with Conditions, Project Plan Application PJT2021 00013, to Allow a Proposed Residential Development with Up to 252 Townhouses and 118 Multifamily Units at 16200 Frederick Road; EYA Development, Applicant
Presentation and Discussion	30	Presentation of Planning Commission Annual Report
Consent	5	Award of IFB #21-10 - Isreal Park Shelter Replacement
Total Meeting Time (In Hours)	2 HRS 50 MINS	

Attachment 15.A.b: Future Agendas as of 10.18.21 (3901 : Future Agendas)

**Future Agendas
As of 10/18/2021**

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 11/15/21 07:00 PM (8 items)		
Discussion and Instructions	20	Discussion and Instruction on Education Commission
Discussion and Instructions	60	Discussion and Instruction on ARPA Funds
Consent	5	Approval of FY2023 CDBG Grant Application Submission to Montgomery County
Discussion and Instructions	30	Employee Homeownership Program
Discussion and Instructions	20	Discussion and Instructions to Staff on Project Plan Application PJT2020-00012, a Request to Allow Up to 350 Multifamily Unit Instead of Office Development on an Undeveloped Property Within the Fallsgrove Planned Development (PD) at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicants
Discussion, Instructions and Possible Adoption	20	Discussion, Instruction, Possible Introduction, and Consideration of an Ordinance to Change the Zone from MXCD (Mixed-Use Corridor District) to MXCD-HD (Historic District) for the Property Located at 460 Hungerford Drive in Order to Place the Property in a Historic District; Historic District Commission of Rockville, Application
Presentation and Discussion	60	Presentation and Discussion on Draft Climate Action Plan
Consent	5	Award of Sourcewell Contract #010521-LSI - Maryvale Splash Pad
Total Meeting Time (In Hours)	3 HRS 40 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 11/22/21 07:00 PM (7 items)		
Presentation	20	Procurement Annual Report
Discussion	20	Good Neighbor Award Process
Discussion	5	Vacancy Report/Hiring Freeze Status
Discussion, Instructions and Possible Adoption	60	Short-Term Residential Rentals Discussion, Instruction, and Possible Authorization of the ZTA
Adoption	20	To Approve, with Conditions, Project Plan Application PJT2017 00012, to Allow Up to 350 Multifamily Units Instead of Office Development on an Undeveloped Property Within the Fallsgrove Planned Development (PD) at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicants
Discussion and Possible Authorization	20	Discussion and Possible Authorization to File Zoning Text Amendment to Regulate the Rental of Rooms in Residential Dwellings
Presentation	45	Montgomery County Presentation on MD 355 BRT
Total Meeting Time (In Hours)	3 HRS 10 MINS	

Attachment 15.A.b: Future Agendas as of 10.18.21 (3901 : Future Agendas)

**Future Agendas
As of 10/18/2021**

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 12/6/21 07:00 PM (7 items)		
Discussion	45	Volunteer Program and Application Process Update
Proclamation	5	Proclamation Declaring Human Rights Day
Discussion and Instructions	60	Discussion and Instructions to Staff on Zoning Text Amendmer Application TXT2019-00254 – Regarding Requirements for Accessory Buildings and Structures in Residential Zones; Mayo and Council of Rockville, Applicants
Presentation and Introduction	30	Presentation and Introduction of Amendments to the Property Maintenance Code, Being a Part of Chapter 5 of the Rockville City Code
Presentation	20	Environment Commission Presentation of Annual Report
Discussion, Instructions and Possible Adoption	10	Discussion and Instructions to Staff and Possible Adoption of the Street Closing and Abandonment Application for 205 Mount Vernon Place
Public Hearing	10	Public Hearing on the Street Closing and Abandonment for 205 Mount Vernon Place
Total Meeting Time (In Hours)	3 HR 00 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 12/13/21 07:00 PM (3 items)		
Presentation and Discussion	90	FY 2023 Budget Priorities and Survey Results
Work Session	60	Discussion on ARPA Funds
Discussion and Instructions	60	Discussion and Instruction on the WMATA Study of the Rockville Station
Total Meeting Time (In Hours)	3 HRS 30 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 12/20/21 07:00 PM (5 items)		
Presentation	10	Fiscal Year 2021 Popular Annual Financial Report (PAFR)
Presentation	20	Fiscal Year 2021 Audited Annual Financial Report
Presentation and Discussion	60	Historic Resources Management Plan Presentation and Discussion
Discussion and Instructions	60	Proposed Parkland Dedication Requirements, Including Fee-In-Lieu of Dedication and Impact Fees
Presentation and Discussion	20	Presentation of Board of Appeals Annual Report
Total Meeting Time (In Hours)	2 HRS 50 MINS	

Attachment 15.A.b: Future Agendas as of 10.18.21 (3901 : Future Agendas)

**Future Agendas
As of 10/18/2021**

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 1/10/22 07:00 PM (4 items)		
Introduction and Possible Adoption	30	Adoption of Resolution to Establish Maximum Rate of Rent Increase, as Required Under Chapter 18 Section 18-194 of the Rockville City Code Entitled "Voluntary Rent Guidelines and Notice Requirements of Rent Increases."
Discussion	10	Vacancy Report/Hiring Freeze Status
Discussion	60	Climate Action Plan Discussion
Introduction and Possible Adoption	20	Resolution to Approve the Brightview Senior Housing Alternative Housing Agreement
Total Meeting Time (In Hours)	2 HRS 00 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 1/24/22 07:00 PM (4 items)		
Discussion	30	Discussion on Reduction in Force and Furlough Policy
Discussion	30	Discussion on Paid Parental Leave Policy
Discussion and Instructions	60	Comprehensive Review and Revision of the Personnel Policy
Discussion	30	Discussion on Work-Related Injury Benefits
Total Meeting Time (In Hours)	2 HRS 30 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 1/31/22 07:00 PM (0 items)		
Total Meeting Time (In Hours)	HRS MINS	

Attachment 15.A.b: Future Agendas as of 10.18.21 (3901 : Future Agendas)